

Minutes of the
BOUNTIFUL CITY COUNCIL
January 24, 2023 – 6:30 p.m.

Official notice of the City Council Meeting was given by posting an agenda at City Hall 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 Journal and Standard Examiner.

Work Session – 6:30 p.m.
City Council Chambers

Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Cecilee Price-Huish
	City Manager	Gary Hill
	Asst City Manager	Galen Rasmussen
	City Engineer	Lloyd Cheney
	City Attorney	Clinton Drake
	Planning Director	Francisco Astorga
	Police Chief	Ed Biehler
	Streets Director	Charles Benson
	Recording Secretary	Maranda Hilton

Excused: Councilmember Richard Higginson

Mayor Harris called the meeting to order at 6:35 p.m. and welcomed those in attendance.

LEGISLATIVE UPDATE - MR. GARY HILL

Mr. Gary Hill led a discussion about upcoming legislative items.

He spoke about a number of proposals that are seeking to change Accessory Dwelling Unit (ADU) laws and continue to take away local control of those standards.

He spoke about a public safety bill that is seeking to change the retirement system in order to entice more recruits and retain public safety employees. He also talked about a bill that would extend mental health benefits to the families of first responder retirees indefinitely. Each of these bills would be a financial burden on the City if they pass, and the purported benefits have not been verified.

He spoke about a bill that would require a school resource officer in all secondary public schools and would create a school safety task force and a State Safety Chief position under the Dept. of Public Safety. This bill would have a big financial impact on the City as well.

Mr. Hill explained that the State is also proposing some tax cuts on food because it has a surplus, but that the cuts will have a huge impact on cities’ revenues, so that will be an important one to watch.

Finally, Mr. Hill said that HB462 is a bill about affordable housing that he is watching because it is seeking to introduce penalties for cities who are not “playing along”.

Councilmember Bradshaw added that she is still concerned about the Public Infrastructure Districts being converted to Developer Infrastructure Districts and Limited Infrastructure Districts, so

1 she is watching that one closely.

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3 The meeting ended at 6:59 p.m.

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Regular Meeting – 7:00 p.m.
City Council Chambers

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Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Cecilee Price-Huish
	City Manager	Gary Hill
	Assistant City Manager	Galen Rasmussen
	City Engineer	Lloyd Cheney
	City Attorney	Clinton Drake
	Planning Director	Francisco Astorga
	Parks Director	Brock Hill
	Police Chief	Ed Biehler
	Assistant Police Chief	Dave Edwards
	Police Lieutenant	David Gill
	Streets Director	Charles Benson
	Recording Secretary	Maranda Hilton

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Excused: Councilmember Richard Higginson

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WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER

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Mayor Harris called the meeting to order at 7:02 p.m. and welcomed those in attendance. Ms. Rachel Coleman led the Pledge of Allegiance and Mr. Karl Cheney, North Canyon LDS Stake Presidency, offered a prayer.

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PUBLIC COMMENT

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

No comments were made.

The public comment section was closed at 7:06 p.m.

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CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETING HELD JANUARY 10, 2023

Councilmember Price-Huish made a motion to approve the minutes from January 10, 2023, and Councilmember Bahr seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw and Price-Huish voting “aye.”

Mr. Gary Hill asked to make a comment about the minutes. He said the minutes accurately reflected what was said in the work session, but that he gave an incorrect answer to Councilmember Bradshaw’s question about the revenues that will be used to back the fiber bonds and he would like to

1 clarify that statement. He explained that the bonds should be entirely paid for by subscriber revenue,
2 but that the City may need to look at other revenue sources, such as sales or excise tax, to back those
3 bonds. He further explained that it's basically an issue of collateral, and that all of the other UIA
4 cities who have recently been through this process had to pledge sales taxes but have not had to
5 actually use tax funds.
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7 **COUNCIL REPORTS**

8 Councilmember Bradshaw did not have a report.

9 Councilmember Bahr did not have a report.

10 Councilmember Price-Huish reported that the Bountiful Davis Art Center (BDAC) will be
11 hosting the Chromatic Art Auction March 3-11, 2023. She encouraged everyone to check it out; all
12 proceeds will go toward funding programs and events at the BDAC.

13 Mayor Harris reported that the South Davis Sewer District appointed Mr. Len Arave as a new
14 board member. She also reported that the South Davis Metro Fire District is sending nine people
15 through a 15-week academy and are hopeful they will be fully staffed soon. Lastly, she said that the
16 Council of Governments (COG) will be meeting eight times in 2023 and asked that anyone who
17 knows of an organization who would like to present to the COG please send their suggestions to her.

18 Councilmember Bell did not have a report.
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20 **UTAH CHIEFS OF POLICE ASSOCIATION ACCREDITATION AWARD – CHIEF ED** 21 **BIEHLER**

22 Mr. Val Shupe, Executive Director of the Utah Chiefs of Police Association presented
23 Bountiful Police Department's Accreditation Award to Chief Biehler. He explained that the Bountiful
24 police worked very hard to earn this award; there are 176 standards that have to be met, they must
25 submit a report every year and reaccredit every five years.

26 Chief Biehler thanked Mr. Shupe and his association for helping them through the process,
27 the assessors in Kaysville for all of their work, and gave a lot of the credit to Assistant Chief Edwards
28 who did the bulk of the work putting policies together and making suggestions.
29

30 **CONSIDER APPROVAL OF RESOLUTION 2023-02 INCREASING GOLF FEES AT** 31 **BOUNTIFUL RIDGE – MR. BROCK HILL**

32 Mr. Brock Hill explained that as golf course staff has been analyzing operations at Bountiful
33 Ridge and rising operating costs, they are making the recommendation to raise the green fees and golf
34 cart fees by \$1 each per nine-hole round. He said the golf course always wants to provide the best
35 level of play, stay competitive with surrounding courses, and maintain viability from a business
36 standpoint, and they believe these rate increases will help them achieve their goals without raising
37 prices too much for players.

38 Councilmember Bradshaw asked why they are making these changes outside of the normal
39 budgetary committee hearings. Mr. Brock Hill explained that the golf industry is on a calendar year
40 and they find that changing the fees in preparation for a new spring season is the best way to have
41 consistency for players and for the planning of tournaments. Councilmember Bradshaw raised
42 concerns about raising fees in isolation without looking at the costs of running the golf course, like
43 they do during the budgetary committee meetings. Mr. Gary Hill said that the issue can be addressed
44 by staff being more proactive on rate increases in the future and trying to schedule them six months
45 in advance so that they are discussed at budget time.

1 Councilmember Price-Huish asked how they anticipate the increase will affect the number of
2 rounds played this year. Mr. Brock Hill said that they anticipate play will still increase this year, and
3 that many courses in Salt Lake and north of Bountiful are raising rates as well. He explained that due
4 to their dynamic pricing schedule they have been able to stay competitive and draw players from Salt
5 Lake by having less expensive times during the week that help encourage play.

6 Councilmember Bradshaw asked if the dynamic pricing ever exceeds that highest price listed
7 on the schedule. Mr. Brock Hill answered that it does not, the golf pro on staff must keep the pricing
8 within the range listed and that staff always discusses it before a price change is made.

9 Councilmember Bell made a motion to approve Resolution 2023-02 increasing fees at the golf
10 course and Councilmember Bradshaw seconded the motion. The motion passed with
11 Councilmembers Bahr, Bell, Bradshaw and Price-Huish voting “aye.”

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13 **CONSIDER APPROVAL OF A LOT LINE ADJUSTMENT AT 2941 SOUTH 100 WEST –**
14 **MR. LLOYD CHENEY**

15 Mr. Lloyd Cheney explained that the property owner desires to build an accessory structure
16 on the rear lot at this location and it requires the lots to be joined. He said that the lot will still meet
17 all frontage and size minimums after this adjustment and that the City will acquire some utility
18 easements along the frontage as well.

19 Councilmember Price-Huish asked about the accessory structure that appears in the aerial
20 photograph, and wondered if it was too close to the lot line. Mr. Cheney said he believes that
21 structure will be removed and replaced with a new structure that will have to be in compliance.

22 Councilmember Bradshaw made a motion to approve the lot line adjustment at 2941 South
23 100 West and Councilmember Price-Huish seconded the motion. The motion passed with
24 Councilmembers Bahr, Bell, Bradshaw and Price-Huish voting “aye.”

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26 **CONSIDER APPROVAL OF RESOLUTION 2023-01 AMENDING THE MODERATE**
27 **INCOME HOUSING PLAN ELEMENT OF THE COMPREHENSIVE GENERAL PLAN –**
28 **MR. FRANCISCO ASTORGA**

29 Mr. Francisco Astorga explained that the City’s Moderate Income Housing Plan was found
30 deficient by the State and they gave the City 90 days to amend it. He explained each of the three
31 deficiencies and how the City has resolved each of them with the State’s approval. The report is now
32 ready to resubmit tomorrow after the Council gives approval.

33 Mayor Harris thanked him for his work on this and commented on a typographical error on
34 Page 31 they may want to fix before resubmitting the report. Mr. Astorga thanked her for noticing
35 that error and said he would fix it.

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37 **A. PUBLIC HEARING**

38 The Mayor opened the public hearing at 7:44 p.m.

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40 No comments were made.

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42 The Mayor closed the public hearing at 7:45 p.m.

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44 **B. ACTION**

1 Councilmember Bell made a motion to approve Resolution 2023-01 and Councilmember Bahr
2 seconded the motion. The motion passed with Councilmembers Bahr, Bell, Bradshaw and Price-
3 Huish voting “aye.”
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5 **CONSIDER APPROVAL OF THE THIRD AMENDMENT TO THE SITE LEASE**
6 **AGREEMENT WITH T-MOBILE AND CCTMO AS ATTORNEY-IN-FACT – MR.**
7 **CLINTON DRAKE**

8 Mr. Clint Drake explained that this agreement is the same information as the agreement with
9 T-Mobile the Council considered a few months ago, but the formatting has been changed. He noted
10 the legal descriptions were had not yet been reviewed by the Engineering Department and asked if
11 the Council approved the agreement, that the approval grant the Engineering Department authority to
12 correct legal descriptions if needed.

13 Councilmember Bradshaw made a motion to approve the amendment to the site lease
14 agreement, including the allowance for the Engineering Department to make corrections to the legal
15 descriptions as needed, and Councilmember Price-Huish seconded the motion. The motion passed
16 with Councilmembers Bahr, Bell, Bradshaw and Price-Huish voting “aye.”
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18 **CONSIDER APPROVAL OF RESOLUTION 2023-03 ALLOWING ELECTRONIC**
19 **PARTICIPATION OF ELECTED OFFICIALS IN CITY COUNCIL MEETINGS FOR THE**
20 **CALENDAR YEAR 2023 – MR. CLINTON DRAKE**

21 Mr. Drake presented a resolution that would allow the Mayor and Councilmembers to
22 participate electronically in all meetings for the remainder of the year 2023.

23 Councilmember Bradshaw asked if work sessions were included in this resolution. Mr. Clint
24 Drake answered affirmatively.

25 Mayor Harris asked Councilmembers to give as much advance notice as possible when they
26 wish to participate electronically. Mr. Gary Hill reiterated this suggestion to make things easier for
27 the staff who stream the meetings.

28 Mr. Drake added that electronic meetings must still have a central physical location to satisfy
29 the State Open and Public Meetings Act.

30 Councilmember Bahr stated that she was against this resolution, and said she felt it was a
31 slippery slope allowing electronic participation and that having people be physically present
32 facilitates the best discussions.

33 Councilmember Bell said he appreciated Councilmember Bahr’s comments and agrees that
34 discussion is better in person, so he is glad the Council will revisit the resolution each year, but he has
35 not seen any of his colleagues abuse the ability to participate electronically and trusts they will all
36 make a point of attending physically whenever possible.

37 Councilmember Bahr elaborated that she feels the Council can work together to make sure
38 everyone is there for important discussions by planning in advance, and that in times of emergency
39 Councilmembers should be allowed to step away and focus on that emergency instead of trying to
40 attend electronically at half capacity.

41 Councilmember Bradshaw shared her respect for her colleagues but offered a differing
42 opinion, saying that this resolution gives them all the best of both worlds, allowing them to
43 participate electronically if they are able. She noted that Councilmember Higginson wished to
44 participate in the meeting tonight, but because the resolution allowing him to do so was accidentally
45 left off the agenda, he was not able to. He participated in an earlier meeting with another entity and
46 came up with an idea that no one else thought of and was able to contribute a lot to that discussion.

1 Councilmember Price-Huish said she respected Councilmember Bahr’s comments but that she
2 supported the resolution.

3 Councilmember Price-Huish made a motion to approve Resolution 2023-03 and
4 Councilmember Bradshaw seconded the motion. The motion passed with Councilmembers Bell,
5 Bradshaw and Price-Huish voting “aye” and Councilmember Bahr voting “nay.”
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7 **ADJOURN**

8 Councilmember Bradshaw made a motion to adjourn the meeting and Councilmember Bell
9 seconded the motion. The motion passed with Councilmembers Bahr, Bell, Bradshaw and Price-
10 Huish voting “aye.”
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12 The regular session was adjourned at 8:04 p.m.
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Kendalyn Harris, Mayor


City Recorder