

Minutes of the
BOUNTIFUL CITY COUNCIL

March 22, 2022 – 5:00 p.m.

5	Present:	Mayor	Kendalyn Harris
6		Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard
7			Higginson, Cecilee Price-Huish
8		City Manager	Gary Hill
9		Asst. City Manager	Galen Rasmussen
10		City Attorney	Clinton Drake
11		City Engineer	Lloyd Cheney
12		Planning Director	Francisco Astorga
13		IT Director	Alan West
14		Power Director	Allen Johnson
15		Streets Director	Charles Benson
16		Water Director	Kraig Christensen
17		Water Asst. Director	Jerry Wilson
18		Water Maintenance Super.	Tracy Hatch
19		Water Field Services	Jason Carter
20		Water Admin. Asst.	Cyndi Hancock
21		Recording Secretary	Maranda Hilton

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 – 5:00 p.m.
City Council Chambers

Mayor Harris called the meeting to order at 5:02 p.m. and welcomed those in attendance.

MAGELLAN INTERIM STUDY UPDATE – MR. ALAN WEST

Mr. Alan West reviewed the process that led to contracting with Magellan Advisors to help the Council decide whether or not building a City-owned fiber network would be worth looking into. He introduced Mr. John Honker, President and CEO of Magellan Advisors, and turned the time over to him.

Mr. Honker joined the meeting via a Zoom call. He presented data about the broadband industry and reviewed the results of the Bountiful City fiber survey with the Council.

He talked about how the goal of community broadband is to provide equal access to the internet to everyone in the community and explained that this can be particularly challenging to accomplish in mountainous regions like the Wasatch Front. He explained that there are over 400 internet service providers (ISPs) nationwide that are city owned. Some of those are city-owned and operated and others are operated by an independent ISP. He presented data that showed how community-owned networks provide a significantly reduced price and significantly more speed than

1 the local competition. He showed a typical range of pricing for internet speeds from \$20 for a basic
2 package all the way up to \$90 for the fastest speeds.

3 Mr. Honker went over the results from the survey. They obtained 370 completed surveys
4 which met the statistically significant threshold they needed to meet. He explained that the results of
5 the survey show that Bountiful is a high “cord-cutting” community, meaning that most people have
6 already “cut the cord” from cable TV, so it is not important to try and provide that service along with
7 internet service. 60% of residents said they would prefer to have the City provide their internet if
8 speed, price and reliability were all the same, which shows the City has a reputation for reliability and
9 that residents trust the City’s ability to provide good service.

10 Councilmember Price-Huish asked for more details about the City of Lehi, who recently went
11 through this process with Magellan. Mr. Honker answered that Lehi City decided to build a City-
12 owned/ISP operated network and have chosen Strata as their partner. Mr. West added that Strata was
13 one provider that the fiber review team also considered and seems to be a good choice as a partner.

14 Councilman Higginson asked what benefits there would be if the City owned the network.
15 Mr. West said that having control of the network is a big benefit, installing Smart City capabilities,
16 and being able to expand the network or sublease it in the future. Mr. Honker elaborated that Smart
17 City capabilities can be used for meter reading and adjustments, traffic light control, smart street
18 signs, fire detection, water treatment systems and more. Mr. Hill added that once the debt is paid off,
19 the benefit can be transferred back into the system, either with lower rates or improvements to the
20 network.

21 Councilmember Higginson asked about symmetrical networks. Mr. Honker explained that
22 symmetrical networks provide download and upload speeds that are the same. Upload speeds have
23 become more important in recent years as more and more devices are now transmitting information to
24 the internet with gaming, video conferencing, etc. Fiber systems achieve a better parity, and although
25 typical users do not need equal upload and download speeds, as technology progresses, there will be
26 more need for uploading.

27 Councilmember Bell asked about the differences between underground and overhead fiber
28 installation. Mr. Honker explained that while overhead is less expensive to build, it is more
29 susceptible to failure due to weather events or natural disasters. Underground is much more
30 expensive to install but is much more reliable.

31 Councilmember Bahr asked about the profitability of a City-owned network here. Mr. Honker
32 said that they are not ready to give those projections yet, but will complete the cost estimates and
33 build a pro forma for the Council to use. He assured the Council that they will also advise them on
34 what to do if things do not go according to plan, in case take rates end up being lower or costs higher.

35 Councilman Bell asked if UTOPIA would allow the City to use their network for Smart City
36 applications if the City partnered with them. Councilman Higginson said UTOPIA is willing to
37 negotiate for that, but it is not part of their standard partnership.

38 Mr. West added that both users and ISPs pay use fees to the network owner, so the City would
39 collect those fees from a City-owned network.

40 Mayor Harris thanked Mr. Honker for his presentation and his time. Mr. Honker thanked the
41 Council and staff for their time and apologized he could not be there in person.

42 43 **SHORT-TERM RENTAL DISCUSSION – MR. FRANCISCO ASTORGA**

44 Mr. Astorga explained that the City’s current land use code does not mention short-term
45 rentals (STRs), but in October 2021 the Council adopted a new Accessory Dwelling Unit (ADU)
46 ordinance in response to HB82, and asked staff to look at STRs and come up with a recommendation.

1 The Planning Commission held a meeting in January to become more acquainted with STR practices
2 in other cities and to discuss Bountiful's options. In March, the Planning Commission held a public
3 hearing and voted unanimously to move forward with the policy amendments that will be presented
4 at this meeting.

5 Mr. Astorga showed data compiled by the Utah League of Cities and Towns (ULCT) which
6 shows the inventory of housing units and STRs in each municipality and was concerned with the
7 displacing effect of STRs on long-term rentals. Statewide, STRs have increased 26.8% since 2019. In
8 Summit, Washington, Salt Lake, Rich and Grand counties, where much of the State's tourism takes
9 place, 73.3% of new listings were STRs.

10 Mr. Hill commented that in those counties, it is clear from the data that STRs are having a
11 negative effect on affordable housing. Councilmember Higginson countered that many of the homes
12 in those counties were second homes that have now been monetized, which does not affect long-term
13 housing. Mr. Astorga said that is true when speaking about entire homes, but it does not apply to
14 ADUs.

15 Mr. Astorga presented the Gardner Institute findings for Bountiful and explained that
16 Bountiful has 74 STR's which constitutes 0.5% of our entire housing stock. This puts Bountiful near
17 the top of the list compared to other cities in Davis County. He explained that based on this data, he
18 believes Bountiful should have a policy for STRs. The Planning Commission drafted an ordinance
19 which seeks to address the major concerns surrounding STRs in cities, namely parking, noise,
20 garbage collection and lawn maintenance.

21 Mr. Astorga presented the six principles of the proposed STR ordinance.

22 Councilmember Price-Huish asked why the Planning Commission is recommending STRs not
23 be allowed in multi-family housing. Mr. Astorga answered that it had to do with preserving the City's
24 stock of moderate-income housing, which is mostly found in multi-family complexes and duplexes,
25 and with mitigating the negative outcomes associated with STRs, namely noise. Single-family
26 residences have bigger setbacks from neighbors, which will help with noise issues. He also explained
27 that many cities start by only allowing them in single-family houses and then expand to allowing
28 them in multi-family housing units. Councilmember Price-Huish said she understood the logic, but
29 she feels all homeowners should be allowed to apply to have an STR if they choose.

30 Councilmember Bahr asked if the City has a plan in place that will assist in tracking
31 complaints concerning STRs. Mr. Astorga said that with the proposed approval process staff will
32 know exactly where they are and can do some tracking.

33 Councilmember Bradshaw said she was concerned about giving the neighbors a robust system
34 of recourse for when issues arise. She said she hopes to see another iteration of the ordinance that
35 includes fines or fees for violations to the ordinance.

36 Due to being short on time, the Council agreed to let Mr. Astorga complete his presentation
37 and continue this discussion in the regular Council meeting if needed.

38 Mr. Astorga went through the proposed language of the new ordinance and explained that due
39 to State law, the City is not allowed to do code enforcement through internet listings.

40 Councilmember Bradshaw asked about imposing a Transient Room Tax (TRT). She said that
41 STRs operate as a business, exactly like a hotel or a motel, and if the City moves forward, the
42 application of a TRT should be discussed in order to level the playing field. Councilmember Bell
43 agreed that should be explored, especially if it will help offset the additional costs to the City.

44 Councilmember Bradshaw stated that she would like to see a stricter enforcement mechanism,
45 that imposes fines or the revoking of a business license, added to the code, especially since the City
46 does not have the ability to enforce compliance through internet listings. She also wants to see a TRT

1 proposal in the code.

2 Councilmember Price-Huish agreed with Councilmember Bradshaw about the TRT. She said
3 that she was concerned about angry neighbors causing problems for owners of STRs and felt that
4 having a self-reporting component might help protect people. STR operators could simply self-report
5 which days the STR was rented out. She also reiterated her desire to see this ordinance include all
6 homeowners, not just single-family homeowners.

7 Due to time, the discussion was set to be continued after Agenda Item 9 in the regular council
8 meeting.

9
10 The work session ended at 7:02 p.m.

11
12
13 **Regular Meeting – 7:00 p.m.**
14 **City Council Chambers**

15
16 **WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER**

17 Mayor Harris called the meeting to order at 7:07 p.m. and welcomed those in attendance. Mr.
18 Mark Bryant led the Pledge of Allegiance, and Ms. Karen Bunker, Orchard Stake Relief Society
19 President, offered a prayer.

20
21 **PUBLIC COMMENT**

22 Mayor Harris opened the public comment section at 7:07 p.m.

23
24 Ms. Chelsea Moultrie – (559 East 1650 South) BCYC Advisor, said that she took ten of the
25 kids to the Leadership Conference at Utah State over the weekend. She said that the City Council is
26 one of the best resources the Youth Council has and encouraged the Councilmembers to attend and
27 help spread the word about BCYC activities. She said the BCYC wants to be utilized as well and
28 offered their help for the Handcart Days celebrations. She hopes they can form a strong connection
29 with and learn from the City Council as much as possible.

30
31 Mr. Ron Brown (33 East 2750 South) said, in regard to the short-term rental discussion and
32 Transient Room Taxes, that he would not appreciate having the local government “in his pockets”
33 any deeper than they already are. He explained that his short-term rental is necessary for his
34 retirement, and that he does not want to be subjected to self-reporting and more paperwork. He
35 believes the short-term rental issue is not a big problem and should not be so closely monitored or
36 controlled.

37
38 Mr. Ken Aird (1231 East 1725 South Circle) said he believes that owner-occupied ADUs
39 should be treated differently than absentee-owner short-term rental homes. He also feels that anyone
40 who is already permitted to have an ADU should not be required to pay for an additional STR permit.
41 He said that is not a level playing field. He said that ADUs are a very small issue in Bountiful, and
42 there is no reason to “hit us with such a big hammer.”

43
44 Mayor Harris closed the public comment section at 7:16 p.m. and announced that the Short-
45 Term Rental discussion would be continued after Item 9 on the agenda.

1 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD ON**
2 **FEBRUARY 22, 2022**

3 Mayor Harris provided the Council with corrections and clarifications to the draft minutes.
4 Councilmember Higginson made a motion to approve the minutes of the previous meeting with
5 changes proposed by Mayor Harris. Councilmember Bell seconded the motion, which passed with
6 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
7

8 **COUNCIL REPORTS**

9 Councilmember Bahr announced that her baby girl was born February 3rd.

10 Councilmember Price-Huish reported that the BDAC is starting a comedy program, “The
11 Improvables”, every Friday night at 9:00 p.m. The BDAC is also currently displaying the winning
12 entries of the Davis School District Art competition.

13 Mayor Harris reported that the SDMFD has three new firefighters training in the academy
14 right now, which is exciting. She also mentioned that due to supply chain issues they will not receive
15 the new fire engine until July of 2023.

16 Councilmember Bell said he is learning more about the Bountiful Community Service
17 Council; they put on the concerts in the park, run the CERT program, help with the Bountiful Food
18 Pantry and help with the Veterans Park.

19 Councilmember Bradshaw presented preliminary plans for the South Davis Recreation
20 District to create a satellite facility in North Salt Lake at Hatch Park. They are considering whether to
21 obtain a Bond for the project. She showed the concept design for the park which would hopefully
22 include pools and courts that the Recreation District would maintain and operate. The Davis School
23 District may also be involved in helping to fund it, as it would provide more pool space for their
24 swim teams.

25 Councilmember Higginson reported information from the Power Commission meeting. He
26 commended Mr. Jay Christensen, who is retiring from the Power Department, for the fantastic job he
27 has done overseeing the finances. He reported that the two solar projects the City has signed on for
28 will be delayed into 2023 due to the lack of panel availability, and that costs for the Red Mesa Project
29 will be increasing by 35% if they can get panels at all. He reported that the Enchant Project is still
30 moving forward and the City has contracted for 10MW of power from them.
31

32 **RECOGNITION OF WATER DEPARTMENT**

33 Mayor Harris read a letter she received from the Utah Division of Water Quality that
34 commended the Bountiful Water Department on an exceptional job mitigating the radium levels in
35 City water due to the drought last year. She expressed her appreciation for their hard work and said
36 this letter was a testament to the way they run their department.

37 Mr. Gary Hill said it was the first time he has ever seen a regulatory agency congratulate a
38 city for how they solved a problem. He explained how this issue came about during many other
39 projects, in a very challenging water year, and in the middle of significant problems with the Calder
40 Well. He congratulated them on their ability to find a solution, communicate well with residents,
41 work with the Division of Water Quality and complete the entire construction project in six months.
42 He expressed his gratitude for their hard work and said he hopes the public understands the incredible
43 job the Water Department team did this summer.

44 Councilmember Price-Huish said she was inspired by Tracy Hatch’s quote regarding the
45 construction project, “We go until we win. That’s what we do.” She said they are great examples of
46 getting the job done and making the result a “win” for the residents of Bountiful.

1 Mr. Kraig Christensen expressed his appreciation for his team, saying that they all jumped in
2 and tried to help figure it out right away. He thanked everyone who helped, his staff and the
3 employees at the Division of Water Quality and thanked the Council and the residents who all
4 showed support and understanding while they solved the problem.

5
6 **CONSIDER APPROVAL OF:**

7 **A. EXPENDITURES GREATER THAN \$1,000 PAID FEBURARY 14, 21, 28 & MARCH**
8 **7, 2022**

9 **B. JANUARY 2022 FINANCIAL REPORT**

10 Councilmember Higginson made a motion to approve the expenditures and the January
11 financial report and Councilmember Bahr seconded the motion. The motion passed with
12 Councilmembers Bahr, Bell Bradshaw, Higginson and Price-Huish voting “aye.”

13
14 **CONSIDER APPROVAL OF A THREE-YEAR CONTRACT WITH DIAMOND TREE**
15 **EXPERTS IN THE AMOUNT OF \$627,120 PER YEAR – MR. ALLEN JOHNSON**

16 Mr. Allen Johnson explained that the Power Department operates with three tree-trimming
17 crews, one in-house crew and two contractor crews. He said this set-up works well for them. He
18 explained Asplundh has done a really good job for the City, but their contract extension came back
19 high enough that he felt he should put it out to bid. Diamond Tree Experts are a local company, they
20 do good work and they returned with the lowest bid. It is a three-year contract that allows for multiple
21 12-year extensions if both parties agree. This contract is for a three-man crew that provides its own
22 truck and tools at the rate of \$150.75/hour.

23 Councilmember Higginson made a motion to approve the contract with Diamond Tree
24 Experts and Councilmember Bradshaw seconded the motion. The motion passed with
25 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

26
27 **CONSIDER APPROVAL OF THE PURCAHSE OF C-900 PIPE FROM FERGUSEN**
28 **WATERWORKS IN THE AMOUNT OF \$118,370 – MR. KRAIG CHRISTENSEN**

29 Mr. Christensen explained that they are buying pipe in bulk in order to start replacing main
30 lines around the City. He said that price increases this year were significant, which means they will
31 have to monitor their budget very closely to not go over. Staff recommends purchasing from
32 Ferguson Waterworks.

33 Councilmember Bradshaw made a motion to approve the purchase of C-900 pipe from
34 Ferguson Waterworks and Councilmember Bahr seconded the motion. The motion passed with
35 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

36
37 **CONSIDER APPROVAL OF A CONTRACT WITH SPOHN RANCH FOR THE**
38 **WASHINGTON PARK SKATE PARK DESIGN – MR. LLOYD CHENEY**

39 Mr. Lloyd Cheney explained that they contacted 11 designers regarding the Washington Park
40 skate park design, and they received four responses. After vetting the responses, they interviewed two
41 of the contractors and are making the recommendation to approve the contract with Spohn Ranch. He
42 said that they have built nine skate parks around Utah and are highly qualified. Mr. Cheney said the
43 main reason staff decided to choose Spohn Ranch is the exemplary way they conduct their public
44 outreach. He said their unique and effective way of communicating with residents and offering visual
45 aids through photographs and scale models really sets them apart. On top of that, they offered the best
46 price in their bid, and it seems that they will be a great value to this project.

1 Councilmember Bell asked how soon public outreach will start. Mr. Cheney answered that as
2 soon as the contract is signed, Spohn Ranch is ready to begin.

3 Councilmember Bell made a motion to approve the contract with Spohn Ranch and
4 Councilmember Higginson seconded the motion. The motion passed with Councilmembers Bahr,
5 Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
6

7 **CONTINUATION OF SHORT-TERM RENTAL DISCUSSION- MR. FRANCISCO**
8 **ASTORGA**

9 Mr. Astorga picked up where the conversation left off regarding STRs. He said if the Council
10 wants to institute a Transient Room Tax (TRT), he said that is just fine. He told the Council that staff
11 can work on creating a violation fee schedule and enforcement policies, but he is concerned about the
12 extra requirement that will place on code enforcement. He also explained that there are no other fees
13 associated with zoning regulation violations.

14 Mr. Astorga said he feels the biggest issue the City needs to solve is the absentee landlord
15 problem. He reiterated that staff is recommending the City mitigate those impacts by having the
16 owner sign an affidavit regarding noise, garbage, parking and landscaping maintenance.
17 Councilmember Higginson asked if the City could charge a TRT on absentee-owner properties but
18 not on owner-occupied properties. Mr. Hill said that the City is not legally allowed to distinguish
19 between those ownership situations, the tax would be applied to every short-term rental business.
20 Councilmember Bradshaw added that the TRT is paid by the renter, not by the property owner.

21 Councilmember Higginson said he feels the City should take a very light approach with this
22 issue, since there does not seem to be a problem with STRs currently in the City. He likes the
23 proposed ordinance a lot.

24 Councilmember Price-Huish said she feels there are enough owner-occupied multi-family
25 housing units in the City that they should be included in this ordinance. Mr. Astorga said he was
26 concerned that large complexes would essentially become hotels if STRs are allowed in multi-family
27 housing, but Councilmember Price-Huish said it feels like the City is trying to solve a problem that
28 does not exist. She believes it is only fair to allow these for all homeowners. Councilmember
29 Higginson said he is concerned allowing STRs in multi-family housing will drive housing prices up
30 for all moderate-income housing, which will not be fair to people who rely on that housing.
31 Councilmember Huish-Price said that same argument could be made for single-family dwellings
32 being driven up in price, and since there is no data to support that right now, and because Bountiful is
33 not a tourist destination, that should not be a worry right now. She also reiterated having a self-
34 reporting system for STR owners would help protect them.

35 Councilmember Bell said he shares the desire to track and permit this use, but it should be
36 kept at a minimum, without heavy requirements for the owner. Although he likes the idea of a self-
37 reporting system, he does not feel it would be worth all the time. He said he would be okay with
38 allowing STRs in multi-family homes.

39 Councilmember Bradshaw said she thinks the City should treat STRs inside ADUs differently
40 than standalone STRs and have a fee schedule that somehow incentivizes ADU-STRs and
41 discourages whole-home STRs. This would help cut down on the absentee landlord issues that arise
42 and on renters who disrupt neighborhoods. She knows a TRT cannot be applied unequally, but
43 perhaps there could be another conversation about a complaint system with fees or revoked business
44 licenses or permits in order to incentivize the best kind of behavior.

45 Councilmember Bahr said that the City cannot tell which landlords will be good and which
46 ones will not. She feels it would be prudent to put policies in place that encourage homeowners to be

1 more aware of their neighbors. She feels there needs to be a way for neighbors to make complaints
2 and that there should be repercussions for bad landlords. She said she also likes Councilmember
3 Price-Huish's suggestion on self-reporting, which would help protect owners.

4 Mr. Hill went through a summary with the Council and the entire Council agreed that the
5 ordinance was a good start. The consensus of the Council was to regulate STRs in the City, require a
6 one-time land use approval as well as an annual business license. They also agreed with the
7 notification of neighbors to 300', and the affidavit requirement. The Council had some discussion
8 about the permit fee, and finally decided that they would reduce the fee for STRs that are inside
9 permitted ADUs down to \$100. All Councilmembers except Councilmember Price-Huish agreed to
10 restrict STRs to single-family housing. Mr. Hill advised that changes can be made to this ordinance in
11 the future, but perhaps it should be tried as-is for now. Once the ordinance is passed, staff will be able
12 to monitor the STRs in Bountiful and see how it goes.

13 The Council discussed how the complaint system might be structured, and Mr. Hill suggested
14 a moderate approach where the City simply monitors it for now and adds language to the ordinance
15 that suggests a business license may not be renewed if the owner has had too many issues.

16 The Council also asked to have a follow-up conversation next time about TRT and what the
17 implications of imposing one would be for the City. Mr. Hill said staff would prepare that for the next
18 work session.

19 Councilmember Bahr asked whether the City needs to amend the date of our current sunset
20 clause regarding STRs. Mr. Drake answered that since there is a pending ordinance doctrine,
21 amendments do not need to be made. All STR owners will still be able to operate as they have been
22 until the new ordinance is passed.

23
24 **CONSIDER APPROVAL OF A CONTRACT WITH HYDRO VAC EXCAVATION FOR**
25 **CONCRETE REPLACEMENT AT THE UNIT PRICES IN THE BID TABULATION – MR.**
26 **LLOYD CHENEY**

27 Mr. Cheney explained that the City's current contractor declined the extension of their
28 contract, so this project was bid out and Hydro Vac was the lowest bidder. They were the City's
29 contractor last year, but they did not make a profit, so they reevaluated and came back 45% higher
30 than last year. This is just in line with all the other price increases across the industry. Staff feels
31 comfortable working with them again and hopes there are not have shortages on concrete like last
32 year.

33 Councilmember Price-Huish made a motion to approve the permit and Councilmember Bahr
34 seconded the motion. The motion passed with Councilmembers Bahr, Bell, Bradshaw, Higginson
35 and Price-Huish voting "aye."

36
37 **CONSIDER APPROVAL OF A WATER LINE CONTRACT AT CREEK SIDE VIEWS**
38 **SUBDIVISION WITH M.C. GREEN IN THE AMOUNT OF \$98,067 – MR. LLOYD**
39 **CHENEY**

40 Mr. Cheney explained that although the water line installation contract was awarded to
41 Newman Construction, after evaluating the best way to proceed on this job, all parties agreed to give
42 this project to MC Green and offer Newman a project of equal scope instead. This will help expedite
43 the project since MC Green has already been working with Weber Basin to get the necessary permits
44 to cross the aqueduct at Davis Boulevard.

45 Mr. Cheney further explained that the City is paying the additional cost to upgrade the
46 culinary water pipe from 8" pipe to 12" pipe.

1 Councilmember Bahr made a motion to approve the contract with MC Green and
2 Councilmember Higginson seconded the motion. The motion passed with Councilmembers Bahr,
3 Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
4

5 **CONSIDER APPROVAL OF A PROPOSAL FROM STAKER PARSON FOR THE 200**
6 **SOUTH AND 200 NORTH RECONSTRUCTION PROJECTS AT THE UNIT PRICES**
7 **NOTED IN THE BID TABULATION – MR. LLOYD CHENEY**

8 Mr. Cheney explained that they decided to group these two small projects for the Streets
9 Department into one contract since they both have a lot of curb and gutter replacement work. They
10 received five bids and Staker Parson was the lowest bidder. Staker Parson are reputable and do great
11 work.

12 Councilmember Higginson made a motion to approve the proposal from Staker Parson at the
13 unit prices included in the bid and Councilmember Bahr seconded the motion. The motion passed
14 with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
15

16 **CONSIDER APPROVAL OF A SINGLE EVENT BEER PERMIT FOR APRIL 30, 2022 AT**
17 **ST. OLAF’S CATHOLIC CHURCH LOCATED AT 1793 SOUTH ORCHARD DRIVE,**
18 **JENNIFER KARRICK APPLICANT – MR. FRANCISCO ASTORGA**

19 Mr. Astorga explained that this permit is for the annual fundraising event at St. Olaf’s Church.

20 Councilmember Higginson made a motion to approve the permit and Councilmember Bahr
21 seconded the motion. The motion passed with Councilmembers Bahr, Bell, Bradshaw, Higginson
22 and Price-Huish voting “aye.”
23

24 **CONSIDER APPROVAL OF A CLASS “D” BEER LICENSE FOR DAVIS PARK CAFÉ**
25 **LLC, RHONDA MOSS OWNER, AT BOUNTIFUL RIDGE GOLF CLUB LOCATED AT**
26 **2430 SOUTH BOUNTIFUL BOULEVARD – MR. FRANCISCO ASTORGA**

27 Mr. Astorga explained that anytime a new entity takes over operations of a restaurant it
28 requires that they apply for a new license. This is for the new concessionaires at Bountiful Ridge Golf
29 Course.

30 Councilmember Bradshaw made a motion to approve the Class “D” Beer License for Davis
31 Park Cafe and Councilmember Price-Huish seconded the motion. The motion passed with
32 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
33

34 **CONSIDER APPROVAL OF ORDINANCE 2022-02 WHICH UPDATES VARIOUS PARTS**
35 **OF THE LAND USE CODE – MR. FRANCISCO ASTORGA**

36 Mr. Astorga went through the land use code amendments which included a change to the
37 residential swimming pool code, moving the ADU fee from the zoning code to the budget document,
38 and a change to the temporary signs code. The Planning Commission forwarded a positive
39 recommendation to these amendments.

40 Councilmember Bradshaw made a motion to approve Ordinance 2022-02 and Councilmember
41 Bahr seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Bell,
42 Higginson and Price-Huish voting “aye.”

43 Mr. Astorga advised that they needed to have a public hearing before the motion was made.
44 Councilmember Bradshaw retracted her motion.

1 Mr. Clinton Drake explained that a public hearing was advertised and held in the last the
2 Planning Commission meeting which satisfies the legal requirements for a public hearing. He noted
3 that the Council could still hear from the public if the Council wanted.

4 Mayor Harris thanked Mr. Drake for the clarification and asked the public is there was anyone
5 who wishes to comment. No members of the public expressed a a desire to comment.

6 Councilmember Bradshaw made another motion to approve ordinance 2022-02 and
7 Councilmember Bahr seconded the motion. The motion passed with Councilmembers Bahr, Bell,
8 Bradshaw, Higginson and Price-Huish voting “aye.”
9

10 **CONSIDER APPROVAL OF THE EXTENSION OF THE FINAL ARCHITECTURAL AND**
11 **SITE PLAN APPROVAL FOR BROOKS ON MAIN – MR. FRANCISCO ASTORGA**

12 Mr. Astorga explained that the developer of Brooks on Main is asking for an extension of
13 their site plan approval. They submitted the request for extension within the permitted timeframe.

14 Councilmember Price-Huish asked what has caused the delay. Mr. Astorga and Mr. Cheney
15 relayed that the plans have had some issues and have required significant revisions. They have
16 another meeting scheduled for this week and they will continue to work on it. Staff is hopeful they
17 will meet the new deadline.

18 Councilmember Bradshaw added that the City should ask the developer to keep their fence
19 around the site from falling over. Other Councilmembers echoed this request.

20 Councilmember Bell thanked Mr. Astorga and Mr. Cheney for taking the time to ensure this is
21 a quality project for the City.

22 Councilmember Bradshaw made another motion to approve the extension and
23 Councilmember Higginson seconded the motion. The motion passed with Councilmembers Bahr,
24 Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
25

26 **CONSIDER APPROVAL OF RESOLUTION 2022-03 AUTHORIZING A FRANCHISE**
27 **AGREEMENT WITH ZAYO GROUP – MR. CLINTON DRAKE**

28 Mr. Drake explained that this is the same City franchise agreement form that the Council has
29 approved many times before for other franchise applicants. Their franchise agreement has expired
30 and are requesting a new agreement with the City. This is a group that is working with Century Link
31 to bring fiber to schools.

32 Councilmember Higginson made a motion to approve the franchise agreement with Zayo
33 Group and Councilmember Price-Huish seconded the motion. The motion passed with
34 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
35

36 **CONVENE IN A CLOSED SESSION TO DISCUSS THE ACQUISITION OR SALE OF**
37 **REAL PRPOPERTY, PENDING LITIGATION AND/OR TO DISCUSS THE**
38 **COMPETENCY AND/OR CHARACTER OF AN INDIVIDUAL(S) (UTAH CODE §52-4-205)**

39 Councilmember Higginson made a motion to adjourn to a closed session in the council
40 conference room to discuss the acquisition or sale of real property, pending litigation and/or to
41 discuss the competency and/or character of an individual(s). Councilmember Bahr seconded the
42 motion. The motion passed with the following roll call vote:
43

44	Bell	Aye
45	Higginson	Aye
46	Bahr	Aye

1 Price-Huish Aye
2 Bradshaw Aye
3

4 The regular session was adjourned to a closed session at 9:21 p.m.

5
6 The closed session began at 9:34 p.m.

7
8 In attendance:

9 Mayor Harris

10 Councilmembers Bell, Bradshaw, Higginson and Price-Huish

11 Mr. Gary Hill

12 Mr. Clinton Drake
13
14

15 **ADJOURN**

16 Councilmember Bradshaw made a motion to return to the regular session and to adjourn the
17 regular session. Councilmember Bell seconded the motion. The motion passed with Councilmembers
18 Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
19

20 The regular session was adjourned at 10:35 p.m.
21

Mayor Kendalyn Harris

City Recorder