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**Minutes of the
BOUNTIFUL CITY COUNCIL**

February 25, 2020 – 5:45 p.m.

Present: Mayor Randy Lewis
Councilmembers Millie S. Bahr, Kate Bradshaw, Kendalyn Harris,
Richard Higginson
City Manager Gary Hill
City Engineer Lloyd Cheney
City Planner Francisco Astorga
City Attorney Clinton Drake
Finance Director Tyson Beck
Parks Director Brock Hill
Police Chief Tom Ross
Water Crew Leader Kraig Christensen
Water Maintenance Supervisor Tracy Hatch
Golf Professional Kent McComb
Recording Secretary Maranda Hilton

Excused: Councilman Chris R. Simonsen

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

Work Session – 5:45 p.m.
South Davis Metro Fire Station Conference Room

Mayor Lewis called the meeting to order at 5:53 p.m. He welcomed those in attendance and excused Councilman Simonsen who is sick.

JOINT BCYC DISCUSSION

The Mayor welcomed the BCYC students and turned the time over to Councilwoman Bahr to lead the discussion. Councilwoman Bahr asked each BCYC member present to introduce themselves.

Members of the BCYC present: Marshall Nelson (9th Grade, Mueller Park), Leena Rucker (12th Grade, Woods Cross), Josh Eddings (9th Grade, Millcreek), Josh Green (9th Grade, South Davis), Kip Smith (11th Grade, Bountiful), Cora Wadsworth (11th Grade, Bountiful), Kara Hughes (11th Grade, Viewmont), Emily Stewart (10th Grade, Bountiful), Halley Robinson (11th Grade, Bountiful).

Councilwoman Harris encouraged the students to know what is happening in Bountiful so that they can be a resource for their friends and families. She mentioned a few topics that affect their everyday lives such as the development of the new Bountiful Town Square and the approval of the Trails Master Plan.

Councilwoman Bradshaw asked the students about the deer problem in Bountiful and how they feel it should be solved. They discussed the current issues with relocation and if they felt a lethal program was a good way to solve the problem. The students brainstormed ideas about increasing

1 food supply on the mountain in order to keep deer from wandering into the City and the possibility of
2 sterilization of the deer. The Council thanked them for their input and ideas.

3 Councilwoman Bradshaw asked the students about the likelihood of them using the brand new
4 ice ribbon at the Town Square as a date activity for school dances. The students liked the idea and
5 answered they were excited about being able to skate outdoors, provided it is not too expensive.

6 Mayor Lewis asked them to share their favorite thing about Bountiful with the Council. Many
7 of them said they love the many recreation opportunities nearby with the South Davis Rec center and
8 so many mountain trails. Others said they enjoy the sense of safety here and the freedom it provides
9 them to hang out with friends and not be scared. Some said their favorite thing is all the events that
10 happen in Bountiful every year, like the “Coats for Kids Car Show”, “Summerfest” and the “Chalk
11 Art Festival”. Many also love the wonderful sense of community they feel here from everyone; they
12 feel this is a place where people care about one another and what happens in their City. The Mayor
13 shared a bit of information from a study done by the Utah Foundation that showed that Bountiful
14 ranks highest out of all other Utah cities for quality of life.

15 Councilwoman Bradshaw asked what the students’ favorite places to eat lunch and to get
16 dessert were. The overwhelming majority for lunch was Cutlers on 500 South; other popular places
17 for lunch were Great Harvest/Keva Juice, Mo’ Bettahs, Kneaders and Taco Bell. For dessert the
18 popular choice was Mrs. Cavanaugh’s, with others saying Crumbl, Fiiz, and Nielsen’s Frozen
19 Custard.

20 Councilwoman Bahr thanked the students for being there and commended them for how well
21 they represent our City as they serve on the BCYC. She has been very impressed with them in the
22 short time she has been appointed to the BCYC.

23 24 **RAP TAX DISCUSSION – MR. GARY HILL**

25 Mr. Gary Hill explained that Staff has researched a question previously asked by
26 Councilwoman Bradshaw about the history of the RAP Tax for Bountiful and how it complies with
27 the State RAP Tax regulations. Mr. Hill said it was a good opportunity to try and find out more about
28 the original intent of our agreement with Centerville City regarding funds given to help construct and
29 support the Centerpointe Legacy Theater (CLT).

30 He explained that legally we cannot give RAP Tax funds to organizations that are located
31 outside of Bountiful City limits unless an interlocal agreement is created to that effect. We created an
32 interlocal agreement with Centerville for that very purpose; however the agreement expressly states
33 that funds may only be given for the construction of the CLT. So to continue awarding RAP Tax
34 funds to the CLT in order to aid with their programs and events, the current interlocal agreement
35 would need to be amended to include that permission. He explained that the wording used on the
36 original ballot makes it seem as though the Council at the time was in favor of being able to help fund
37 organizations that benefit the residents of Bountiful even if they are not located in Bountiful.

38 He reminded the Council that at the last meeting they were concerned with organizations
39 feeling entitled to the RAP Tax grants and suggested amending the interlocal agreement with
40 Centerville. This would enable the CLT to continue to apply for grants and would help keep the
41 yearly grant allocation process competitive by including more potential applicants instead of fewer.
42 The Council would still have final say in who receives money each year, but this way more
43 organizations could participate and they will not feel entitled to receive a grant every year that they
44 apply.

45 Councilmembers Higginson, Bahr and Harris said they were in favor of keeping the option
46 open of funding organizations in other cities.

1 Councilwoman Harris mentioned the 50 year term of the interlocal agreement and said it
2 seems that the intent was to be able to keep funding the CLT even after construction.

3 Councilwoman Bradshaw explained her concern that the interlocal agreement is a one-way
4 street with Centerville and there are many worthy organizations in Bountiful who need funding who
5 are not currently able to reach out to nearby cities for grants. She feels this is a disservice to
6 Bountiful's organizations and residents.

7 Mr. Hill suggested talking to Centerville City staff to see if they would be willing to change
8 the interlocal agreement to make it a two-way street, allowing our eligible organizations to apply for
9 their RAP Tax grants in the future. The Council liked that idea and felt that the conversation was
10 worth having.

11 Councilman Higginson explained that when the interlocal agreement was created there was
12 never the intent that we would be funding the CLT for 50 years. He feels that although the CLT is a
13 good resource for the residents of Bountiful, the residents must purchase tickets in order to enjoy the
14 theater. He would rather the RAP Tax funds go to organizations who are non-profit and that everyone
15 can enjoy equally.

16 Mr. Clint Drake explained that the he researched the agreement and believes the reason for
17 the 50 year term is to ensure the City maintains a presence on the Board as Bountiful City has made
18 significant investment toward the facility and it makes sense that the City would want to maintain
19 some degree of control and involvement.

20 Councilwoman Bradshaw asked how common it is for cities to have interlocal agreements
21 concerning their RAP Tax grants. Mr. Drake answered that he does not know of the existence of any
22 others, although he has not researched it.

23 Mr. Hill made sure the Council still wanted him to ask Centerville about amending the
24 agreement to be mutually beneficial, and that it was not a deal-breaker if they said no. The Council
25 majority agreed.

26
27 The meeting was closed at 6:50 p.m.
28
29

30 **Regular Meeting – 7:00 p.m.**
31 **South Davis Metro Fire Station Conference Room**

32
33 Mayor Pro Tem Richard Higginson called the meeting to order at 7:00 p.m., welcomed those
34 in attendance and excused Mayor Lewis for a few minutes. Mr. Tyson Beck led the Pledge of
35 Allegiance and Councilwoman Kendalyn Harris offered a prayer.
36

37 **PUBLIC COMMENT**

38 The public comment section was opened at 7:03 p.m.
39

40 Mark Green (1248 East Briggs Drive) asked the Council to reconsider accepting the bid from
41 Black Sheep Oilfield Services for the upcoming water line projects in the City. He feels that the bid is
42 too low to be trusted and that they should choose a contractor who has more experience in this field.
43

44 The public comment section was closed at 7:06 p.m.
45

46 **APPROVE MINUTES OF PREVIOUS MEETING HELD ON FEBRUARY 11, 2020**

1 Councilwoman Harris made a motion to approve the minutes from February 11, 2020 and
2 Councilwoman Bahr seconded the motion. The motion passed with Councilmembers Bahr,
3 Bradshaw, Harris and Higginson voting “aye”.

4
5 **COUNCIL REPORTS**

6 Councilwoman Bradshaw reported that the Bountiful Rotary Club is holding a dinner on
7 March 12 for anyone interested in learning more about becoming a Rotarian.

8 Councilwoman Harris thanked Councilmembers Bradshaw and Bahr for hosting the BCYC
9 students at the State Capitol.

10 Councilwoman Bahr did not have a report.

11 Councilman Higginson commented that their work session with the BCYC was great. He
12 liked the wonderful comments the students made about the quality of the Bountiful community.

13
14 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID FEBRUARY**
15 **3 & 10, 2020**

16 Councilwoman Bradshaw made a motion to approve the expenditures paid February 3 & 10,
17 2020 and Councilwoman Harris seconded the motion. The motion passed with Councilmembers
18 Bahr, Bradshaw, Harris and Higginson voting “aye”.

19
20 **CONSIDER PRELIMINARY AND FINAL APPROVAL OF THE PUD PLAT AMENDMENT**
21 **FOR THE DOMAINE AT HIGHLAND OAKS, UNIT 7, 3865 HIGHLAND COURT – MR.**
22 **FRANCISCO ASTORGA**

23 Mr. Lloyd Cheney presented an amendment to a PUD plat for approval. He explained that this
24 amendment is for unit 7, the final unit to be built in an 11-unit PUD. Due to the narrow frontage for
25 this remaining lot in the cul-de-sac, and other topographical considerations that have arisen now that
26 the other units have been constructed, Mr. Cheney feels it would be appropriate to move the plat back
27 farther onto the lot. The change to the placement of the plat will only slightly affect the main floor
28 elevation and a few other things. The surrounding land is owned by the HOA for the PUD and they
29 have also approved the changes recommended for unit 7. The Planning Commission forwards a
30 positive recommendation for approval of the amendment after reviewing it as well.

31
32 a. **Public Hearing**

33 Public Hearing was opened at 7:19 p.m.

34
35 Public Hearing was closed at 7:19 p.m.

36
37 b. **Action**

38 Councilwoman Bradshaw made a motion to approve the preliminary and final approval of the
39 PUD plat amendment for the Domaine at Highland Oaks and Councilwoman Bahr seconded the
40 motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris and Higginson voting
41 “aye”.

42
43 **CONSIDER APPROVAL OF A CONCESSIONAIRE CONTRACT WITH EMSG FOOD**
44 **SERVICES, INC. FOR BOUNTIFUL RIDGE GOLF COURSE – MR. BROCK HILL**

45 Mr. Brock Hill presented a few minor changes to the contract with the new concessionaire for
46 Bountiful Ridge Golf Course. The changes made to this contract are:

- 1 - Name of party changed from FundRacer Events Management to their parent company,
- 2 EMSG Food Services, Inc.
- 3 - The signee will now be the CEO of EMSG Food Services, Inc.
- 4 - Clarifications were made to the responsibilities of each party regarding equipment
- 5 maintenance
- 6 - It has been specified that new equipment will be purchased by Bountiful City if existing
- 7 equipment is unsuitable
- 8 - It has been specified that any additional equipment required will be purchased by EMSG
- 9 - It has been specified that EMSG will be in charge of employee management
- 10 - A list of all provided equipment has been included in the contract as an exhibit

11 Mr. Hill explained that these changes are good for both parties and it is good to have these
12 things specified and in writing. He recommends that the Council accept the changes and enter into the
13 contract with EMSG Food Service, Inc. for three years with the option of an additional two years.

14 Councilwoman Harris made a motion to approve the contract with EMSG Food Services Inc.
15 as concessionaire for the Golf Course and Councilwoman Bradshaw seconded the motion. The
16 motion passed with Councilmembers Bahr, Bradshaw, Harris and Higginson and voting “aye”.

17
18 **CONSIDER APPROVAL OF BLACK SHEEP OILFIELD SERVICES’ PROPOSAL FOR**
19 **2020 WATER LINE PROJECTS AT THE UNIT PRICES SUBMITTED – MR. LLOYD**
20 **CHENEY**

21 Mr. Cheney explained that the City delayed completing these projects last year because all of
22 the bids came back unreasonably high. So they have re-bid the three projects and are ready to accept
23 a bid and get it done. These are high-priority projects that will help ensure there is adequate water
24 flow in case of fires. He said they have followed all standard procedures for getting and evaluating
25 the bids that were received and they have chosen to accept the lowest bidder, Black Sheep Oilfield
26 Services. He explained that they are an unknown entity in this field, so he talked with them and made
27 sure they knew the requirements of the project and the City’s expectations and if they still felt
28 comfortable with their bid. Their main experience is in oilfield projects but they do have some recent
29 limited experience with municipal projects similar to this one. He talked to some of their references
30 and they received very good reviews especially about how quickly they worked and their ability to
31 problem-solve. Mr. Cheney gave his full recommendation to the Council that he felt confident using
32 this company and asked for their approval.

33 The Councilmembers asked to make sure there wouldn’t be any settled trenches at the end of
34 project, and Mr. Cheney explained that he talked with the contractors exclusively about that and that
35 they know the expectation.

36 Mr. Drake added that they researched the company and found they are an organization in
37 good standing with the State and a search of public records shows no active lawsuits or liens against
38 them.

39 Councilwoman Bahr made a motion to approve the proposal from Black Sheep Oilfield
40 Services and Councilwoman Harris seconded the motion. The motion passed with Councilmembers
41 Bahr, Bradshaw, Harris and Higginson voting “aye”.

42
43 **CONSIDER APPROVAL OF THE PURCHASE OF PIPE REPLACEMENT MATERIAL**
44 **FROM WESTERN WATER WORKS IN THE AMOUNT OF \$73,053 – MR. KRAIG**
45 **CHRISTENSEN**

1 Mr. Kraig Christensen explained that at this time of year they actively try to get all of their
2 materials lined up for upcoming in-house projects. The Water Department received three bids for new
3 pipe replacement materials and have chosen to accept the bid from Western Water Works Co.

4 Councilwoman Harris made a motion to approve the purchase of pipe replacement material
5 from Western Water Works and Councilwoman Bradshaw seconded the motion. The motion passed
6 with Councilmembers Bahr, Bradshaw, Harris and Higginson voting “aye”.

7
8 **ADJOURN**

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

12
13 The regular session of City Council was adjourned at 7:43 p.m.



Mayor



City Recorder