

Minutes of the  
BOUNTIFUL CITY COUNCIL  
January 25, 2022 – 6:00 p.m.

Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
	City Manager	Gary Hill
	Asst. City Manager	Galen Rasmussen
	City Attorney	Clinton Drake
	City Engineer	Lloyd Cheney
	Power Director	Allen Johnson
	Streets Director	Charles Benson
	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 – 6:00 p.m.**  
**City Council Chambers**

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

**OPEN MEETINGS TRAINING – MR. CLINTON DRAKE**

Mr. Clinton Drake conducted the annual Open and Public Meetings Act (Utah Code Ann. §52-4-101) training for the Mayor and Councilmembers.

They also discussed how they would like to proceed when substitute motions are made during a meeting. It was decided that when a motion is made, they should wait to see if it obtains a second before making a substitute motion. When a substitute motion is made, it will be the one considered until it either passes or fails. If it fails, the original motion can then be considered.

**BDAC MURAL RECOMMENDATIONS – MR. GARY HILL**

Mr. Gary Hill presented the top three submissions for the mural at the Bountiful Davis Art Center (BDAC). Both the BDAC staff and the Public Art Advisory Board chose Mr. Hank Mattson’s “Utah Landscapes” submission as their top choice. The Councilmembers accepted the proposal.

**LEGISLATIVE UPDATE – MR. GARY HILL**

Mr. Gary Hill reported that the Legislative Policy Committee (LPC) met yesterday, and he gave an update on some of the upcoming bills.

HB95 is a bill that would prohibit cities, counties, HOA’s, and mobile-home parks from requiring their residents to install sod. Cities et al. would still be able to force a property owner to maintain their landscaping. This bill does not affect Bountiful City’s current code, but Mr. Hill is reaching out to see if any other cities would be affected. Staff is concerned at the State-dictated, one-

1 size-fits-all approach to land use, and that the next step will be prohibiting the requirement of  
2 irrigation systems, which would have a huge effect on every city. The Utah League of Cities and  
3 Towns (ULCT) is working with Rep. Ward to see if he would amend his bill to allow for some sod.

4 Another concerning bill is proposing to create a statewide land use authority regarding  
5 housing. It would allow developers, who meet certain requirements, to bypass cities and go straight to  
6 counties for approval to build. He cautioned that allowing someone to bypass the planning process  
7 has many downstream impacts. This bill would undermine a city's ability to adhere to their general  
8 plan, which requires coordinated efforts regarding infrastructure. It would be devastating for cities to  
9 give up that kind of authority to the state.

10 Councilmember Bradshaw reported on SB92 and HB215, which affect the Intermountain  
11 Power Agency (IPA). She said there are other bills that are not public yet that also concern IPA.

12 She also reported on HB182 which would amend the local health order. It would prohibit a  
13 chief executive (mayor) from exercising emergency powers in a pandemic, epidemic or public health  
14 emergency. Mr. Hill added that it may prevent Bountiful City from being eligible for federal aid  
15 funds if the Mayor is unable to declare an emergency, which is very concerning. Councilmember  
16 Bradshaw suggested that the Mayor come testify on the City's behalf concerning the impacts of this  
17 bill.

18 Mr. Hill added that there are many bills being drafted concerning COVID-19 and housing  
19 problems, that would create problems much larger than those issues, if they get passed. Many of these  
20 bills take power away from a local authority and give it to the state. He cautioned that staff and the  
21 council should keep an eye out for these bills.

22  
23 The meeting ended at 7:04 p.m.  
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26 **Regular Meeting – 7:00 p.m.**  
27 **City Council Chambers**  
28

29 Mayor Harris called the meeting to order at 7:05 p.m. and welcomed those in attendance. Mr.  
30 Brian Potts led the Pledge of Allegiance, and Ms. Erin McQuivey from the Bountiful North Canyon  
31 Stake offered a prayer.  
32

33 **PUBLIC COMMENT**

34 The public comment section was opened at 7:07 p.m.  
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36 No comments were made.  
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38 The public comment section was closed at 7:07 p.m.  
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40 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD ON JANUARY**  
41 **11, 13 & 14, 2022**

42 Councilmember Bradshaw made a motion to move on to the next agenda item and wait to  
43 approve the minutes at the following Council meeting, since a revision of the January 11 minutes was  
44 needed and Councilman Higginson seconded the motion, which passed with Councilmembers Bahr,  
45 Bell, Bradshaw, Higginson and Price-Huish voting "aye."  
46

1 **COUNCIL REPORTS**

2 Councilmember Higginson reported on the latest news from the Power Commission meeting,  
3 how the City’s power resources are looking for the future, and how the changes to the solar metering  
4 program are going.

5 Councilmember Bahr did not have a report.

6 Councilmember Price-Huish reported on the short-term rental presentation she heard in  
7 Planning Commission meeting, and said she hopes a way can be found to make them work in the  
8 city.

9 Mayor Harris reported from her board assignments and mentioned that both the fire district  
10 and the sewer district are hiring right now.

11 Councilmember Bell did not have report.

12 Councilmember Bradshaw reported on come upcoming legislative bills to watch out for;  
13 HB151 regarding retail incentives, and HB133 and SB110 regarding water rights and planning.

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15 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID**  
16 **DECEMBER 20 & 27, 2021 AND JANUARY 3, 2022**

17 Councilmember Bradshaw made a motion to approve the expenses and Councilmember Bahr  
18 seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw,  
19 Higginson and Price-Huish voting “aye.”

20  
21 **CONSIDER APPROVAL OF THE APPOINTMENT OF MR. CHRIS SIMONSEN TO THE**  
22 **BOUNTIFUL COMMUNITY SERVICE COUNCIL FOR A FOUR-YEAR TERM – MR.**  
23 **GARY HILL**

24 Mr. Hill explained that appointments to the Community Service Council are made by the  
25 Mayor and approved by the Council. They are recommending Chris Simonsen be appointed to the  
26 Community Service Council.

27 Mr. Brian Potts, Community Service Council Chair, said that Mr. Simonsen has been a joy to  
28 work with and will be a wonderful addition to the council.

29 Councilmember Higginson made a motion to approve the appointment of Mr. Chris Simonsen  
30 to the Community Service Council and Councilmember Price-Huish seconded the motion. The  
31 motion was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting  
32 “aye.”

33  
34 **CONSIDER APPROVAL OF THE PURCHASE OF TWO TRANSFORMERS FROM**  
35 **ANIXTER POWER SOLUTIONS IN THE AMOUNT OF \$32,900 – MR. ALLEN JOHNSON**

36 Mr. Allen Johnson explained that they try to keep four of these transformers in stock at all  
37 times, and that delivery time for them is currently 40-45 weeks. They will be using two from their  
38 inventory in the next couple of weeks to replace ones that have gone out, so they need to order more.

39 Councilmember Higginson said he applauded the power employees for being able to find  
40 transformers as he knows that getting them right now is very difficult.

41 Councilmember Bell asked how quickly the City goes through these larger transformers. Mr.  
42 Johnson answered that sometimes they will go a couple years without needing to replace any, and  
43 other times, they go through two or three of them in a short amount of time.

44 Councilmember Bahr made a motion to approve the purchase of the transformers and  
45 Councilmember Higginson seconded the motion. The motion was approved with Councilmembers  
46 Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

**CONSIDER APPROVAL OF THE QUOTE FROM INTEGRATED POWER SERVICES IN THE AMOUNT OF \$28,821 FOR ADDITIONAL REPAIR WORK AT ECHO BRINGING THE TOTAL APPROVAL FOR THE THRUST BEARING REPAIRS TO \$290,689 – MR. ALLEN JOHNSON**

Mr. Johnson recapped the process of repairs that has taken place at the Echo Hydro plant and explained that this expense will be in addition to the other work that has already been done. They found a company in Colorado who can re-machine the bearings and replace some of the seals.

Councilmember Bradshaw asked how long the City expects to run the hydro plant this year. Mr. Johnson said it is too soon to tell, but considering how things are right now, he does not anticipate running it past June. Councilmember Bradshaw asked if they are looking into their return on investment and whether they should continue to put money into Echo if the City will not be able to get much more use out of it. Mr. Johnson said, yes, if the current drought conditions persist, they may not want to go any further in maintaining it. But he believes this weather pattern will change before too long. He also explained that he thinks Echo will qualify as a “green resource” after these repairs have been made, which will be important for the City. He added that they are about two years away from deciding whether or not to relicense Echo, which is a big decision, and takes 8-10 years to complete.

Councilmember Higginson added that as long as there is an average year of snow, the reservoirs get full, unlike Lake Powell or Lake Mead, which take multiple years to refill.

Councilmember Bradshaw agreed that having this as a local, green resource was very valuable.

Councilmember Bell asked when the Echo rebuild would be complete. Mr. Johnson answered that the repairs should be finished in February, but they will come back in April when the water comes in to check that everything is operating correctly.

Councilmember Bradshaw made a motion to approve the quote from Integrated Power Services and Councilmember Higginson seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

**ADJOURN TO A CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE OF REAL PROPERTY, REASONABLY IMMINENT LITIGATION, AND/OR TO DISCUSS THE CHARACTER AND/OR COMPETENCY OF AN INDIVIDUAL(S) (UTAH CODE §52-4-205)**

Councilmember Bradshaw made a motion to adjourn to a closed session to discuss the purchase, exchange or lease of real property, reasonably imminent litigation, and/or to discuss the character and/or competency of an individual(s) in the council conference room. Councilmember Higginson seconded the motion. The motion was approved by the following roll-call vote:

Price-Huish	Aye
Higginson	Aye
Bell	Aye
Bahr	Aye
Bradshaw	Aye

The closed session was started at 7:44 p.m.

1 Councilmember Higginson made a motion to return to the open meeting and Councilmember  
2 Bradshaw seconded the motion. The motion passed with Councilmembers Bahr, Bell, Bradshaw,  
3 Higginson and Price-Huish voting “aye.”  
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5 The closed session ended at 9:20 p.m.  
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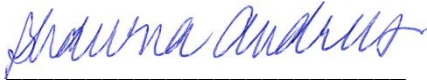
7 **ADJOURN**

8 Councilmember Bradshaw made a motion to adjourn the regular session and Councilmember  
9 Bahr seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw,  
10 Higginson and Price-Huish voting “aye.”  
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12 The regular session was adjourned at 9:20 p.m.



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*Mayor Kendalyn Harris*



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*City Recorder*