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**Minutes of the
BOUNTIFUL CITY COUNCIL**

January 12, 2021

6:00 p.m. – Work Session

7:00 p.m. – Regular Session

Present:

Mayor	Randy Lewis
Councilmembers	Millie Segura Bahr, Kate Bradshaw, Kendalyn Harris, Richard Higginson, Chris R. Simonsen
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
Recording Secretary	Maranda Hilton

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 Journal and Standard Examiner.

Work Session – 6:00 p.m.

South Davis Metro Fire Station Conference Room

Mayor Lewis called the meeting to order at 6:02 p.m. and welcomed those in attendance.

OPEN MEETINGS TRAINING – MR. CLINTON DRAKE

Mr. Drake explained that training on the Open and Public Meetings Act (OPMA) is a yearly requirement for the Council and went over the purpose of the OPMA, what constitutes a “meeting”, the requirements of closed meetings and emergency meetings, and other topics related to OPMA.

He then went over the Utah Municipal Officers’ and Employees’ Ethics Act. He explained the purpose of it, the criminal ramifications, the requirements for disclosing information, and other topics related to the Act.

LIASON REPORTS FROM COUNCIL MEMBERS

Councilwoman Bahr serves as the liaison with the Bountiful City Youth Council and the Centerpoint Administrative Control Board.

BCYC report – They have not been able to be as active this year due to COVID-19, but they had a well-attended holiday party at the ice ribbon at Town Square and next week they will be brainstorming ideas for more remote activities they can do.

1 *Centerpoint Administrative Control Board report* – no report. Councilman Higginson
2 added that they met one time in person last year to discuss repairing/replacing one of the two
3 boilers.

4
5 Councilwoman Bradshaw serves as the liaison with the Mosquito Abatement District and
6 the ULCT Legislative Policy Committee.

7 *Mosquito Abatement report* – The biggest issue they have right now is finding a pilot to
8 spray chemicals in the marshy areas around the lake. The normal pilot is battling cancer and it
9 has been difficult to find another pilot with the necessary skillset. They briefly looked into
10 purchasing a helicopter with Salt Lake, but decided it was too expensive. They also utilize large
11 drones to disperse the chemicals, but have had a hard time finding experienced drone pilots as
12 well. They have also had big ramifications from the pandemic that have affected employee
13 numbers.

14 *Legislative report* – Councilwoman Bradshaw focused on three issues coming up during
15 this legislative session. 1. Rep. Ward has a bill regarding accessory dwelling units which would
16 reverse some parts of what the Council recently adopted for the City, namely parking restrictions
17 and size restrictions. 2. There is an active transit bond bill that is looking for trails projects that
18 are “shovel-ready”. Councilwoman Bradshaw has submitted some of Bountiful’s projects in
19 hopes we would be eligible for those funds. 3. There is a long list of law enforcement bills that
20 have been created after the events of 2020 brought up many police and civil rights issues.

21
22 Councilwoman Harris serves as the liaison with the Historic Preservation Commission
23 and the Planning Commission.

24 *Historic Preservation report* – The Commission has not been meeting in person. They are
25 grateful for the annual grant they received from the City and used it on some security cameras
26 and are doing soffit fascia work at the museum. They are considering a Halloween activity this
27 year with reenactments of historic Bountiful residents, as well as a joint air parade with
28 Centerville City in July.

29 *Planning Commission report* – The Planning Commission has been largely focused on
30 accessory dwelling units and accessory structures this year. They also recently identified a need
31 to revise the Bountiful City General Plan, which will be discussed at this year’s Council Retreat.
32 Councilwoman Harris added that the Commission is comprised of very qualified individuals and
33 has been a very interesting and enjoyable assignment for her.

34
35 Councilman Simonsen serves as the liaison for the Community Service Council and the
36 Bountiful Davis Arts Center (BDAC).

37 *Community Service report* – The Community Service Council has meetings once a month
38 right now and all trainings have been suspended due to COVID-19. They are considering starting
39 up their HAM radio classes again soon. They had a big breakfast for the Bountiful Food Pantry
40 at Christmastime and it went very well with many churches and organizations participating
41 together. They are planning for the Concerts in the Park series and are hopeful that they can hold
42 it this summer.

43 *BDAC report* – The BDAC is moving forward with new displays and the board has
44 meetings once a month. The biggest challenge for them is getting the word out to residents about
45 their displays and what they have to offer. He hopes that the City can advertise in their newsletter
46 to help with that.

1 *Veterans Park report* - the two new monuments are being finalized: the family monument
2 and the P.O.W. monument. He said they have had 19 P.O.W.s come forward since the opening
3 of the park in November, and they add around 650 names to the wall each month. It is obvious
4 that this park has touched a lot of lives as our veterans are honored.

5
6 Councilman Higginson serves as the liaison for the Power Commission and the
7 Centerpoint Administrative Control Board.

8 *Power Commission report* – The Power Department had an unprecedented year of costly
9 repairs, especially on their hydro plants, so they are hopeful things will calm down now. He said
10 that the Commission has many experienced and dedicated people who keep it running.

11 *Centerpoint Administrative Control Board report* – (see above in Councilwoman Bahr’s
12 report)

13
14 Mayor Lewis serves as the liaison for the South Davis Recreation District Board, the
15 South Davis Metro Fire Agency Board, the Utah League of Cities and Towns (ULCT)
16 Legislative Policy Committee and the South Davis Sewer District.

17 *South Davis Recreation District report* – The Rec District now has a master plan in place
18 which was created by Y2 Analytics. There will be bonding involved and they will be creating
19 satellite locations all around South Davis county. He also reported that the ice ribbon has been a
20 success, grossing \$50,000 in the 4.5 weeks that it has been open despite operating with limited
21 reservation times.

22 *South Davis Metro Fire District report* – Fire Station 84 on Bountiful Boulevard has long
23 had water runoff issues, so they are excited about fixing that problem with the remodel there.

24 *South Davis Sewer District report* – The North Plant will be doing a major renovation in
25 the next couple of years and the South Plant’s food waste program is up and going and producing
26 a lot of green energy through gas.

27 *Davis Fund Board report* – They are providing gap financing for entrepreneurial
28 businesses and it has been very successful.

29 *Davis County Health Department report* – They are very busy trying to get vaccines out
30 with the help of Walgreens and CVS.

31 *Wasatch Front Regional Council report* – They are doing a lot right now to help
32 businesses who are struggling due to the pandemic.

33
34 The work session was closed at 6:58 p.m.

35
36 **Regular Meeting – 7:00 p.m.**

37 **South Davis Metro Fire Station Conference Room**

38
39 **WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER**

40 Mayor Lewis called the meeting to order at 7:03 p.m. and welcomed those in attendance.
41 Tyson Beck led the Pledge of Allegiance and Mr. Bryce Bangarter, Counselor in the Stone Creek
42 Stake Presidency, offered a prayer.

43
44 **PUBLIC COMMENT**

45 The public comment section was started at 7:08 p.m.
46 There were no comments.

1 The public comment section ended at 7:08 p.m.

2
3 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD**
4 **NOVEMBER 11, 2020 (FINANCE COMMITTEE) AND DECEMBER 8, 2020**

5 Councilman Simonsen made a motion to approve the minutes of the previous meetings
6 and Councilman Higginson seconded the motion. The motion was approved with
7 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

8
9 **COUNCIL REPORTS**

10 Councilman Higginson did not have a report.

11 Councilwoman Bahr did not have a report.

12 Councilwoman Harris did not have a report.

13 Councilman Simonsen thanked Bountiful City for allowing them to build a Veterans
14 Park. He knows that the veterans appreciate it so much. They have had 19 P.O.W.’s come
15 forward since the opening of the park and they are currently building a P.O.W. memorial for the
16 park.

17 Councilwoman Bradshaw reminded the public about the upcoming state legislative
18 session and explained that policies made at the state level impact us here in Bountiful. She hopes
19 that people will be involved in what is happening.

20
21 **BCYC REPORT**

22 Councilwoman Bahr reported that they had an activity at the ice ribbon which was well
23 attended and that unfortunately the Bar J Wranglers concert was cancelled so they were unable to
24 volunteer at it.

25
26 **CONSIDER APPROVAL OF:**

27 **A. EXPENDITURES GREATER THAN \$1,000 PAID NOVEMBER 30, DECEMBER**
28 **7, 14, 21 & 28, 2020**

29 **B. NOVEMBER 2020 FINANCIAL REPORT**

30 Councilwoman Bahr made a motion to approve the expenditures and the November 2020
31 financial report and Councilwoman Bradshaw seconded the motion. The motion passed with
32 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

33
34 **RECOGNITION OF MARK SLAGOWSKI – MR. LLOYD CHENEY**

35 Mr. Cheney honored Mr. Mark Slagowski, explaining that Mr. Slagowski has been an
36 employee of the City for over 40 years in the Water Department. Mr. Slagowski is known for his
37 great example and has provided wonderful leadership to his department. Mr. Cheney lauded him
38 for his extensive knowledge of the water system and for the positive influence he has had on the
39 City.

40 Mr. Slagowski expressed his deep appreciation for the opportunity he had to work for
41 Bountiful because it allowed him to raise his family and gave him the chance to work with great
42 employees, past and present. He commented on how much has changed since he started working
43 here in the 1970s, saying there isn’t a single street in town that he hasn’t dug a hole in. He
44 thanked the Council for their unwavering support over the years, allowing him to accomplish
45 some difficult things.

1 Mayor Lewis thanked him for his service and for being someone the City could always
2 depend on, both in who he is professionally and personally.

3 Councilman Higginson added that Mr. Slagowski is someone who did an enormous job
4 and required no attention.

5 Mayor Lewis presented flowers to Mrs. Jana Slagowski and a certificate to Mr.
6 Slagowski.

7
8 **RECOGNITION OF BRUCE AND MICHELLE BARTON – COUNCILWOMAN**
9 **HARRIS**

10 Councilwoman Harris recognized Bruce and Michelle Barton, who recently closed
11 Barton’s Comfort Shoes after 45 years of doing business on Main Street. They are the second
12 generation to run the store after purchasing the business from Bruce’s father 25 years ago. They
13 specialized in prescription orthotics and also worked with the diabetic community. Although the
14 store is closing, they will continue their work in these specialties. Michelle helped to manage the
15 business and Bruce served as the treasurer on the Main Street Business Association.

16 Mr. Barton expressed their love for serving the people of Bountiful and their love of
17 Main Street. He said they appreciate the recognition and the opportunities they have had to work
18 in this community.

19 Mrs. Barton said one of their biggest regrets is that they do not live in Bountiful but
20 added that they still feel part of this community. She thanked the Council for everything they
21 have done to help support the businesses on Main Street.

22 Councilwoman Harris presented them with a certificate and thanked them again.

23 Mayor Lewis thanked them and said he wished the Council could have done even more
24 to support them.

25
26 **CONSIDER APPROVAL OF THE RE-APPOINTMENT OF MR. PAUL SUMMERS TO**
27 **THE POWER COMMISSION – MR. GARY HILL**

28 Mr. Hill explained that Mr. Paul Summers has been asked by Mayor Lewis to continue
29 his service on the Power Commission now that his time has come for reappointment. Mr.
30 Summers has been a great asset to the Commission, and has agreed to serve for another four
31 years.

32 Councilman Higginson added that Mr. Summers is a great man with enormous
33 experience.

34 Councilman Higginson made a motion to approve the re-appointment of Mr. Paul
35 Summers to the Power Commission and Councilwoman Harris seconded the motion. The
36 motion passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting
37 “aye”.

38
39 **CONTINUATION: CONSIDER APPROVAL OF ORDINANCE 2021-02 AMENDING THE**
40 **LAND USE CODE TO PERMIT TEMPORARY SALES OFFICES IN TRAILERS**
41 **WITHIN RESIDENTIAL ZONES – MR. FRANCISCO ASTORGA**

42 Mr. Astorga explained that the applicant for this amendment was unable to attend the
43 meeting tonight and respectfully asked that this item be continued to the next meeting on January
44 26th if the Council is willing.

45
46 **A. PUBLIC HEARING**

1 The Public Hearing was opened at 7:29 p.m.
2 No comments were made.
3 The Public Hearing closed at 7:30 p.m.
4

5 **B. ACTION**

6 Councilwoman Bradshaw made a motion to continue this item to the January 26th
7 meeting and Councilwoman Bahr seconded the motion. The motion passed with
8 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.
9

10 **CONTINUATION: CONSIDER APPROVAL OF ORDINANCE 2021-01 (FORMERLY**
11 **DRAFTED AS ORDINANCE 2020-11) AMENDING THE LAND USE CODE**
12 **REGARDING ACCESSORY STRUCTURES – MR. FRANCISCO ASTORGA**

13 Mr. Astorga explained that this item was continued from the December 8, 2020 City
14 Council meeting where the Council gave staff more direction. This issue was initiated following
15 a Land Use Code interpretation by an Administrative Law Judge in August 2020 regarding
16 Section 14-4-105J. It gave the Planning Commission an opportunity to scrutinize the historical
17 interpretation of the Code and figure out how to update it in order to bring a substantial number
18 of accessory structures around the City back into compliance. As it stands, many houses in the
19 City would not be able to expand their homes in the future, and the Planning Department
20 believes that the added value from this change will outweigh any negative impacts to the City
21 especially given the level of build-out that exists in Bountiful.

22 The Planning Commission is recommending a 20’ setback for accessory structures from
23 the front wall plane, while staff is recommending a less restrictive setback of 10’ from the front
24 wall plane. The Council will decide which recommendation, if any, they wish to approve.

25 Council members and Mayor Lewis asked some follow-up questions about non-
26 compliance restrictions, setback details and structure size.
27

28 **A. PUBLIC HEARING**

29 The Public Hearing was opened at 7:43 p.m.
30 No comments were made.
31 The Public Hearing closed at 7:43 p.m.
32

33 **B. ACTION**

34 Councilman Higginson expressed his enthusiasm for fixing this issue and said he was
35 comfortable with either setback. He wants people to be able to build accessory structures and at
36 the same time ensure that neighborhoods are protected.

37 Councilwoman Harris made a motion to approve staff’s recommendation of Ordinance
38 2021-01 adopting a 10’ setback and Councilman Higginson seconded the motion. The motion
39 passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.
40

41 **CONSIDER ADOPTION OF RESOLUTION 2021-01 DECLARING BOUNTIFUL**
42 **CITY’S INTENT TO ADJUST THE BOUNDARY OF THE SOUTH DAVIS SEWER**
43 **DISTRICT WITHIN BOUNTIFUL CITY – MR. LLOYD CHENEY**

44 Mr. Cheney explained that the process to amend the service area for the Sewer District
45 was started late last year and is a two-step process. Tonight, the Council has the opportunity to

1 adopt a resolution of intent to adjust the boundary, and then on April 13th & 15th the necessary
2 public hearings will be held with the City and the Sewer District, respectively.

3 Councilman Simonsen made a motion to approve Resolution 2021-01 and Councilwoman
4 Bahr seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,
5 Higginson and Simonsen voting “aye”.

6
7 **CONSIDER APPROVAL OF THE LANDSCAPING OF PLAT R AT THE BOUNTIFUL**
8 **CITY CEMETERY BY AUTHORIZING THE CEMETERY TO ENTER INTO A**
9 **LANDSCAPE CONSTRUCTION CONTRACT WITH ERICKSON LANDSCAPING IN**
10 **THE AMOUNT OF \$95,282 – MR. BROCK HILL**

11 Mr. Brock Hill explained that there are currently 750 burial plots available at the
12 cemetery and they sell around 600 each year. Due to diminishing supply, it is time to landscape
13 Plat R; the final piece of ground they have at the cemetery. When it is completed, it will add an
14 additional 1250 burial plots and extend the service of the cemetery another five years. They
15 received three responses for bids and two bids. They believe the bid from Erickson Landscaping
16 including sod will be the best option and recommend that the Council approve entering into a
17 contract with them.

18 Councilwoman Bradshaw made a motion to approve the contract with Erickson in the
19 amount of \$95,282 and Councilman Simonsen seconded the motion. The motion passed with
20 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

21
22 **CONSIDER APPROVAL OF THE PRELIMINARY AND FINAL ARCHITECTURE**
23 **AND SITE PLAN FOR CITY POWER LOFTS, A MIXED-USE DEVELOPMENT**
24 **LOCATED AT 189 SOUTH 200 WEST – MR. FRANCISCO ASTORGA**

25 Mr. Astorga presented the plans for the City Power Lofts development to Council for
26 approval. This development will have 1,200 square feet of office space on the ground floor, and
27 12 residential units above. The Planning Commission reviewed it in their meeting on January 5,
28 and they are requesting the Council delegate landscaping approval to staff. The proposed
29 development will provide 26 parking stalls, one less than is required by the off-street parking
30 standards. Staff feels that will be sufficient and recommends approval instead of requiring the
31 applicant to perform a parking study, however the Council has final say in that matter. The
32 Planning Commission is excited about the elevations and the amount of brick used for the
33 façade.

34 Councilman Higginson disclosed that it is possible his company might submit a bid on
35 this project.

36 Councilwoman Bradshaw made a motion to approve the preliminary and final
37 architectural and site plan for the City Power Lofts development and Councilman Higginson
38 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,
39 Higginson and Simonsen voting “aye”.

40
41 **CONSIDER APPROVAL OF RESOLUTION 2021-02 AUTHORIZING AN**
42 **INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR A \$1 MILLION LOAN TO**
43 **CONSTRUCT EAGLE RIDGE DRIVE – MR. GARY HILL**

44 Mr. Gary Hill explained that Eagle Ridge Drive is a partially completed road that ends
45 just before Skyline Drive at the base of the “B”. Typically, roads are completed as development
46 demands, with developers being required to construct the infrastructure to support their new

1 development. A few years ago, the property in the area changed hands and a development was
2 planned which would have connected Eagle Ridge Drive to Bountiful Blvd. The City and the
3 community were excited about the prospect of having a connection because it would have solved
4 many traffic, public safety and vandalism issues in that area. However, the developer ran into
5 problems and the project did not move forward. Now, the City has been provided an option that
6 would allow the City to build Eagle Ridge Drive instead. The City is proposing to borrow \$1
7 million from Davis County to complete the road, which would be repaid when the property gets
8 developed. The developer will pay the City for the cost of the road, and it will save them money
9 because it will be interest free. This agreement is not in place yet, but the property owner has
10 reacted positively to the idea. Tonight, the Council has the opportunity to accept the loan from
11 Davis County. Staff will move forward with creating an agreement with the property owner and
12 subsequently acquiring a right of way or an easement from the County.

13 Councilmembers thanked City staff for their perseverance working on this problem and
14 for the neighbors who have worked hard to bring important issues to light. They all felt this will
15 be a wonderful solution and are hopeful bad behaviors will disappear once the road is completed.

16 Councilwoman Bradshaw made a motion to approve Resolution 2021-02 and
17 Councilman Simonsen seconded the motion. The motion passed with Councilmembers Bahr,
18 Bradshaw, Harris, Higginson and Simonsen voting “aye”.

19
20 **CONSIDER APPROVAL OF THE PUBLIC IMPROVMENTS CONSTRUCTED FOR**
21 **THE SEIFERT SUBDIVISION, OF THE RELEASE OF THE BALANCE OF THE BOND**
22 **AND RELIEVING THE DEVELOPER OF ANY FURTHER OBLIGATION – MR.**
23 **LLOYD CHENEY**

24 Councilman Higginson made a motion approve the public improvements of the Seifert
25 Subdivision and release the bond and Councilwoman Harris seconded the motion. The motion
26 passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

27
28 **CONSIDER APPROVAL OF RESOLUTION 2021-03 AMENDING THE PERSONNEL**
29 **POLICIES AND PROCEDURES MANUAL FOR THE CITY OF BOUNTIFUL – MR.**
30 **CLINTON DRAKE**

31 Mr. Drake explained that updates are made to the personnel policies every year in an
32 effort to keep up with changing laws. This year, there were very few changes necessary. The
33 updates include changes to the paid holiday policy as well as a clarification in the personnel
34 section.

35 Councilman Simonsen made a motion approve Resolution 2021-03 and Councilman
36 Higginson seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw,
37 Harris, Higginson and Simonsen voting “aye”.

38
39 **ADJOURN**

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

43
44 The regular session of City Council was adjourned at 8:14 p.m.
45
46

Randy Jew

Mayor

Shawna Andrus

City Recorder