

Minutes of the
BOUNTIFUL CITY COUNCIL
September 28, 2021 – 6:30 p.m.

Present:	Mayor	Randy Lewis
	Councilmembers	Millie Segura Bahr, Kate Bradshaw, Kendalyn Harris, Richard Higginson, Chris R. Simonsen
	City Manager	Gary Hill
	City Attorney	Clinton Drake
	Finance Director	Tyson Beck
	Parks Director	Brock Hill
	Police Chief	Ed Biehler
	Power Director	Allen Johnson
	Water Director	Kraig Christensen
	Streets Director	Charles Benson
	Asst City Engineer	Todd Christensen
	City Prosecutor	Yvette Donosso
	Victim Advocate	Ashley Stewart
	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 – 6:30 p.m.
City Council Chambers

Mayor Lewis called the meeting to order at 6:31 p.m. and welcomed those in attendance.

VICTIM ADVOCATE PROGRAM UPDATE – MR. CLINTON DRAKE

Ms. Ashley Stewart, who works as the Victim Advocate out of the City Prosecutor’s Office, gave an update about the program and what she does in her position. She explained that the focus of a Victim Advocate is to help victims who are going through the court system and to be their liaison with the prosecutor and the court. She routinely helps people navigate the court system by explaining what will happen next, what they are required to do, and she attends hearings with them. She helps victims know what their rights are, draft victim impact statements, attain protective orders, and receive restitution when they have experienced theft or other losses. She shared a couple of experiences where she was able to be a resource and support victims who needed help leaving domestic violence situations. She said that she loves her job and loves working in the prosecutor’s office. She also explained that the position is funded by a federal grant which is given on a two-year cycle. She said that although applying for the grant takes a lot of work, she has received a lot of help from people at the City.

Ms. Yvette Donosso, City Prosecutor, spoke about Ms. Stewart’s work and said having her in the office is absolutely vital. She explained that under the Victims’ Rights Act, victims have the right

1 to be informed about their case, informed about obtaining protective orders, to have a speedy trial,
2 and to speak at sentencing, among other things. Ms. Stewart is integral in making sure that these
3 rights are being upheld. She said that every week they have 70-80 criminal cases coming through
4 their office, not including the traffic cases, and Ms. Stewart reaches out to each and every victim to
5 make sure they know what to expect and to see if they want protective orders, etc. She also explained
6 that Ms. Stewart acts as an important buffer between the victims and the prosecutor, helping people
7 feel more comfortable, which can make a huge difference in victims being willing to assist with
8 prosecution.

9 Mr. Clinton Drake, City Attorney, took a few minutes to recognize the work being done in the
10 prosecutor's office, and lauded them for how well they adapted to the changes wrought by the
11 COVID-19 pandemic. He explained that they put their hearts into these cases, and it can be very
12 difficult when a victim changes their mind and decides to not follow through with prosecution, which
13 is why the Victim Advocate plays such an important role in fostering good relationships with victims.
14 He also wished to recognize two other people who work in the prosecutor's office: Lana Agbeko, the
15 legal secretary, and a woman who has spent many volunteer hours helping them out, Olivia Ward. He
16 expressed appreciation for them. He ended by explaining that misdemeanor prosecution is more
17 difficult, in many ways, than felony prosecution, calling it homicide prevention, and saying that he
18 knows they are making a positive impact in the lives of the City's residents with the work they do
19 every day.

20 Councilmembers and the Mayor thanked them for all they do to help Bountiful and to help
21 these victims.

22
23 The meeting ended at 6:59 p.m.

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26 **Regular Meeting – 7:00 p.m.**
27 **City Council Chambers**
28

29 Mayor Lewis called the meeting to order at 7:03 p.m. and welcomed those in attendance. Mr.
30 Dylan Valentino led the Pledge of Allegiance, and Ms. Debbie McPheters, Stake Relief Society
31 President in the Bountiful North Stake, offered a prayer.

32 Mayor Lewis reported that a former Mayor of Bountiful, Mr. Bob Linnell, passed away and
33 recognized Mr. Linnell for his well-respected life, his sacrifices made to the City and his constant
34 advocacy for his community.

35
36 **PUBLIC COMMENT**

37 The public comment section was opened at 7:08 p.m.

38
39 Mr. Jack Parker (1515 East 3010 South, Salt Lake City) said that he was there advocating for a skate
40 park in Washington Park. He is a full-time skate coach who also acts as a skate park respect
41 ambassador. He said you cannot profile the type of people who use a skate park as they are very
42 diverse. He added that there are a growing number of ambassadors throughout the state, and their
43 services are free to the City. He said if the skate park were to get approved, they will work with locals
44 to keep the park clean and safe.

1 Mr. Sean Peterson (943 West Vista Ridge Drive, Lehi) said he is a skateboard ambassador for Lehi,
2 and he also founded the Utah Skatepark Advocacy Group. He said both groups are trying to mend the
3 gap that exists between the skateboarding community and the Utah cities. They want to show the
4 good things that come to people's lives through skateboarding. He handed out the results of a survey
5 they conducted about desired skate park amenities.
6

7 Ms. Linda Smith (91 West 2050 South) reported that a Bountiful Cemetery truck has been parked in
8 the circle off 50 West, which makes it impossible for large trucks to use it as a turn-around. She said
9 she thinks it will become a big problem in the winter with plows and cause an accident if that truck is
10 allowed to remain there.
11

12 Ms. Claudia Lindeburg (2057 Penman Lane) said she can appreciate the desire for a skate park, but
13 she thinks that the City should consider what percentage of taxpayers would actually use the skate
14 park.
15

16 The public comment section was closed at 7:17 p.m.
17

18 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETING HELD ON**
19 **SEPTEMBER 14, 2021**

20 Councilman Higginson made a motion to approve the minutes and Councilwoman Bahr
21 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris, Higginson
22 and Simonsen voting "aye".
23

24 **COUNCIL REPORTS**

25 Councilwoman Bradshaw reminded everyone that there will be two events at City Hall
26 tomorrow night - the final public design open house for Washington Park and a "Meet the
27 Candidates" night.

28 Councilman Simonsen reported that all 84 monument lights in the Veterans Park are now
29 submerged, working and ready for the winter.

30 Councilwoman Harris did not have a report.

31 Councilwoman Bahr reported that the BCYC had a service project on Saturday helping to
32 clean up Holbrook Canyon Trail.

33 Councilman Higginson did not have a report.
34

35 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID**
36 **SEPTEMBER 6, 13 & 20, 2021**

37 Councilwoman Bahr made a motion to approve the expenditures paid September 6, 13 & 20,
38 2021 and Councilman Higginson seconded the motion. The motion passed with Councilmembers
39 Bahr, Bradshaw, Harris, Higginson and Simonsen voting "aye".
40

41 **CONSIDER APPROVAL OF THE PURCHASE OF TWO POLICE CARS IN THE TOTAL**
42 **AMOUNT OF \$68,828 – CHIEF ED BIEHLER**

43 Chief Biehler explained that these two vehicles will constitute the final purchases for the
44 upcoming year, and that funding for them is included in the current fiscal year's budget. They wish to
45 purchase a 2022 Jeep Grand Cherokee for the detective division from Ken Garff Chrysler Jeep Dodge

1 Ram, and a 2022 Ford Explorer, also for the detective division, from Performance Ford. They will
2 sell a 2008 Ford Explorer and a 2014 Jeep Cherokee.

3 Councilwoman Harris made a motion to approve the vehicle purchases and Councilwoman
4 Bradshaw seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,
5 Higginson and Simonsen voting “aye”.

6
7 **CONSIDER APPROVAL OF RESOLUTION 2021-18 WHICH APPROVES THE REAL**
8 **ESTATE PURCHASE AGREEMENT FOR PROPERTY LOCATED AT APPROXIMATELY**
9 **1385 EAST BOUNTIFUL BOULEVARD IN BOUNTIFUL, UTAH – MR. CLINTON DRAKE**

10 Mr. Drake explained that this contract is for the real estate purchase of 1385 East Bountiful
11 Boulevard, where the City already has a water tank installed. After some time spent negotiating, the
12 purchase of the property is from the current owner is ready to be finalized.

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

16
17 **CONSIDER APPROVAL OF RESOLUTION 2021-19 ADOPTING A MUTUAL**
18 **ASSISTANCE AGREEMENT – MR. ALLEN JOHNSON**

19 Mr. Allen Johnson explained that this mutual assistance agreement that includes Pacificorp is
20 monumental. He said it all stemmed from the windstorm last year when everyone needed help from
21 all over the state. The agreement will allow the City to call on PacifiCorp if needed, and it is all
22 completely voluntary. The agreement will also allow the City to get needed materials through
23 Pacificorp as well. The Power Commission forwarded a positive recommendation, and if approved,
24 the actual signing with the Mayor will take place October 7th at the State Capitol building.

25 Councilman Higginson made a motion to approve Resolution 2021-19 and Councilman
26 Simonsen seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,
27 Higginson and Simonsen voting “aye”.

28
29 **CONSIDER FINAL ACCEPTANCE OF NATHAN’S SUBDIVISION AND AUTHORIZE**
30 **THE RELEASE OF THE BOND – MR. TODD CHRISTENSEN**

31 Mr. Todd Christensen explained that Nathan’s subdivision was approved back in 2018, and it
32 was two existing properties that were subdivided to create a third lot. The third lot needed utilities
33 services run into the lot, which has been done, and the curb, gutter and sidewalk have been replaced.
34 He said that they have inspected the public improvements and found everything acceptable and
35 recommend authorizing the release of the bond.

36 Councilman Higginson made a motion to accept the public improvements and authorize the
37 release the bond and Councilwoman Bradshaw seconded the motion. The motion passed with
38 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

39
40 **CONSIDER APPROVAL OF THE PREVIOUS PURCHASE OF PIPE FROM**
41 **MOUNTAINLAND SUPPLY COMPANY IN THE AMOUNT OF \$27,760 – MR. KRAIG**
42 **CHRISTENSEN**

43 Mr. Kraig Christensen explained that due to the radium problem in the 17.8 well, they had to
44 implement a water blending plan which required installing more pipe on Davis Boulevard. They
45 needed to purchase pipe that would withstand the necessary pressures of the pump and got three bids
46 for DR14 pipe. The only supplier that had it in stock was Mountainland Supply, so he received

1 approval from the City Manager to purchase it and is asking for retroactive approval from the
2 Council. He noted that this was an unplanned project and will therefore push another pipe
3 replacement project into next year.

4 Councilwoman Harris made a motion to approve the purchase of DR14 pipe from
5 Mountainland Supply and Councilman Higginson seconded the motion. The motion passed with
6 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

7
8 **CONSIDER APPROVAL OF THE PURCHASE OF TWO PARKS DEPARTMENT WORK**
9 **TRUCKS FROM PERFORMANCE FORD IN THE TOTAL AMOUNT OF \$65,758 – MR.**
10 **BROCK HILL**

11 Mr. Brock Hill explained that these trucks will help the new full-time Parks employees do
12 their jobs. He said they got bids back in April and recently took delivery of the vehicles, which have
13 already been paid for. He said he took direction from the City Manager about what to do and they
14 asked Ford to go ahead and order the trucks back then. He said one truck will be an additional truck
15 for the fleet and the other will be replacing a 1987 truck.

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

19
20 **ADJOURN TO A CLOSED MEETING TO DISCUSS THE PURCHASE, EXCHANGE OR**
21 **LEASE OF REAL PROPERTY, REASONABLY IMMINENT LITIGATION, AND/OR TO**
22 **DISCUSS THE CHARACTER AND/OR COMPETENCY OF AN INDIVIDUAL(S) (UTAH**
23 **CODE §52-4-205).**

24 Councilwoman Bahr made a motion to adjourn to a closed meeting to discuss the purchase,
25 exchange or lease of real property, reasonably imminent litigation, and/or to discuss the character
26 and/or competency of an individual(s) to be held in the council conference room and Councilman
27 Higginson seconded the motion. The motion passed with the following roll call vote:

28 Harris Aye
29 Higginson Aye
30 Simonsen Aye
31 Bahr Aye
32 Bradshaw Aye

33
34 The regular session was adjourned to a closed session at 7:36 p.m.

35
36 The closed session was started at 7:47 p.m.

37
38 Councilwoman Bradshaw Harris made a motion to move back to the regular session and
39 Councilwoman Harris seconded the motion. The motion was approved with Councilmembers Bahr,
40 Bradshaw, Harris, Higginson and Simonsen voting “aye”.

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42 The regular session was reopened at 9:06 p.m.

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44 Councilman Higginson made a motion to adjourn, and Councilwoman Bradshaw seconded
45 the motion. The motion was approved with Councilmembers Bahr, Bradshaw, Harris, Higginson and
46 Simonsen voting “aye”.

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The regular session was adjourned at 9:06 p.m.

Mayor Randy Lewis

City Recorder

PENDING