

Minutes of the  
BOUNTIFUL CITY COUNCIL

August 25, 2020  
5:30 p.m. – Work Session  
7:00 p.m. – Regular Session

Present:

- |                       |  |
|-----------------------|--|
| Mayor Pro Tem         | Chris R. Simonsen  |
| Councilmembers        | Millie S. Bahr, Kate Bradshaw, Kendalyn Harris,<br>Richard Higginson |
| City Manager          | Gary Hill  |
| Asst. City Manager    | Galen Rasmussen  |
| City Engineer         | Lloyd Cheney   |
| Planning Director     | Francisco Astorga  |
| City Attorney         | Clinton Drake  |
| Finance Director      | Tyson Beck   |
| IT Director           | Alan West  |
| Police Chief          | Tom Ross   |
| Water Director        | Mark Slagowski   |
| Power Director        | Allen Johnson  |
| Streets Director      | Gary Blowers   |
| Streets Asst Director | Charles Benson   |
| City Planner          | Curtis Poole   |
| 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 County Clipper and Standard Examiner.

**Work Session – 5:30 p.m.**  
**South Davis Metro Fire Station Conference Room**

Mayor Pro Tem Simonsen called the meeting to order at 5:32 p.m. and welcomed those in attendance.

**TEMPORARY SKATE PARK DISCUSSION – MR. GARY HILL**

Mr. Hill explained that due to neighbor complaints, a popular site for skateboarding was dismantled in June. The site was in a City-owned detention basin on Moss Hill Drive. The loss of this location has left a need in the skateboarding community for a safe and legal place to skate. He has been in discussion with Staff and with some local skaters to try and find a site for a temporary skate park until such time that a more permanent location can be built. They already have a donation pledged of \$10,000 for work and materials for the construction of the park. Three potential locations have been suggested, and he asked the Council to weigh in on whether or not they approve the pursuing of a temporary skate park, and if so, which location they prefer. Some of the characteristics they wish to have in a new site is: it keeps a good distance from residences; has a good surface for skateboarding; has restrooms; has parking; and has good visibility.

1 The first location would be to reinstall a skate park in the same detention basin, but do it in a  
2 way that would not interfere with storm drain function. However, in talking with neighbors, it seems  
3 unlikely that they will welcome another skate park there. They have had issues with people leaving  
4 trash and with people relieving themselves in yards due to lack of restroom facilities. There is no off-  
5 street parking at this location either, which neighbors are not happy about.

6 The second location is the existing basketball court at Tolman Park. The court seems to be  
7 underused and they are hopeful that in converting it to a skate park it will be more utilized. The  
8 location is a good distance from homes in the area, so noise would not be an issue. It has good  
9 visibility from 1300 East which is a graffiti and crime deterrent. There is also parking and restrooms  
10 on site. The court would need to be resurfaced to be made skater-friendly and the basketball standards  
11 would also need to be removed, but overall, it seems like a very good option.

12 The third location is an empty cul-de-sac located at the top of 600 North and 1300 East. This  
13 location is separated from neighbors and is not being used by anyone. However, it has a very steep  
14 approach and the asphalt surface is not ideal for skating.

15 Mr. Hill asked the Council for their thoughts about moving forward on this project and  
16 explained that he has seen that the groups who use these sites take very good care of them and are  
17 very respectful.

18 The Councilmembers all said they supported this idea and agreed that Tolman Park seemed  
19 like the best choice for a new location. They thanked Gary, Staff and the local skateboarders who  
20 helped put this project together for their hard work and their willingness to cooperate with the City.

#### 21 **CARES ACT FUNDING DISCUSSION – MR. GARY HILL**

22 Mr. Hill explained that the 2<sup>nd</sup> tranche of money from the Coronavirus Aid, Relief, and  
23 Economic Security (CARES) Act is due this week, making a total of \$2.6M received so far. It is  
24 possible another installment will be received before the end of the year, but there is no guarantee how  
25 much, if any, the City will get. The money must be used in specific ways that are set forth by the  
26 Federal Government regarding prevention, aid and relief efforts surrounding the Coronavirus. The  
27 City is being very cautious about how to spend this money, but due to new guidelines staff feels fairly  
28 sure some of it can be used to pay public health and safety workers' salaries from March to December  
29 2020. A small amount will be spent on personal protective equipment (PPE) like masks,  
30 hand sanitizer and shields. Giving money to entities who were ineligible to receive any CARES Act  
31 funding, like the South Davis Metro Fire Agency (SDMFA) and South Davis Recreation District  
32 (SDRD) is also being considered. Another option would be to help fund the Davis County business  
33 grants and loans program. Bountiful businesses are eligible for help whether or not the City helps  
34 fund it, but they get ranked slightly higher if the City does contribute. The money must be spent by  
35 December or returned to the State.

36 The Council agreed that the proposal from staff to give some of the funds to SDRD, the  
37 SDMFA, and to Davis County's business grant program (with a 25% match rate for now) seem like  
38 good use of the funds. Mr. Hill said he will contact those entities and start the discussion right away.

39 Councilwoman Bradshaw also requested that the City contact the Mosquito Abatement  
40 District to see if they need any assistance at this time as well.

41 Councilman Higginson thanked staff for their caution and asked that help is sent to our  
42 struggling businesses as quickly as possible.

#### 43 **DEPARTMENT UPDATES – MR. GARY HILL & DEPARTMENT MANAGERS**

44 Mr. Hill gave the Council a list of current City projects and issues to choose from and  
45 explained that the department heads would answer any questions they wished to discuss.

46 Councilwoman Harris asked about UTOPIA fiber and when a decision about them coming to  
47  
48

1 Bountiful would be made. Mr. Hill said the next step will be to do a survey, but advised against  
2 conducting a survey before the General Obligation Bond has been voted on. He does not want more  
3 than one big issue on the table at a time. He also advised that once voting is over, we should look into  
4 other fiber and broadband options available before settling on UTOPIA.

5 Councilman Higginson asked about the possibility of a land transfer as proposed by Mr. Jaren  
6 Davis. He explained that he was not in favor of it as he did not think it would be a meaningful  
7 difference to the residents who care about that property. Councilwomen Bradshaw and Bahr agreed  
8 that it would be alright to take it off the table altogether. Councilwoman Harris said she thought it  
9 was at least worth having a discussion about it at a later date.

10 Councilman Simonsen asked for an update on the City Hall remodel. Mr. Lloyd Cheney  
11 answered that the building is approximately 65% completed. They are working hard to get it dried in,  
12 and after that the interior systems and finish work should commence very quickly. He told the  
13 Council that he rejected the contractor's proposed completion date of January 2021, and told them it  
14 was unacceptable to not be back in the building before the end of the year. They are making this  
15 project a priority and people will be working onsite after hours and on weekends in order to try and  
16 catch up.

17 Councilman Simonsen asked Mr. Cheney to also give an update on the Town Square project.  
18 Mr. Cheney explained that the second shipment of granite wasn't perfect, but they decided to make it  
19 work and have a local mason working on it. He said the water feature still needs to be surfaced  
20 (similar to the inside of a pool) and there is an appointment set next week with the pool contactors for  
21 that. The ice system for the skating ribbon will be fired up and tested soon. He believes it will be  
22 ready for use the second week of September.

23 Mr. Hill said that the Council will need to be thinking about whether or not to hold a grand  
24 opening in September, or wait until the winter when the ice ribbon can be used. It's not known what  
25 the County will allow as far as public gatherings are concerned, or if they will allow the water feature  
26 to be turned on.

27 Councilwoman Bahr asked for an update on Police Department morale. Chief Ross thanked  
28 the Council for their concern and for their continued support. He explained that many officers have  
29 started to question whether or not they should be police officers in this cultural climate, and they  
30 often worry about how to perform their jobs in the best way. He said they do a good job with training  
31 and they have programs in place that put them in a better position than many other cities, but that  
32 doesn't mean it's easy right now. Even with as much community support and City support as they  
33 receive, the Bountiful Police Department is not immune to what's going on in the world. Overall, he  
34 said morale is good and most employees are just waiting to see what happens. In the meantime, he  
35 said they are trying to focus on how they can keep improving.

36 Councilwoman Bradshaw thanked Chief Ross for his leadership, and asked about law  
37 enforcement issues near the "B". Chief Ross answered that he is passionate about improving things in  
38 that area. He said he would feel very frustrated about how long the conditions have existed if he lived  
39 there. He explained that getting restrictions changed is a very difficult task, but he is hopeful that they  
40 are on the cusp of seeing some good things come to pass especially with trailhead and parking  
41 improvements and a new development in the area. He said he hopes we will not be talking about this  
42 again next summer, but they have been close before only to have hurdles come up. He explained that  
43 dealing with forestry lands can be very political and they have dealt with fire restriction issues for the  
44 entire 14 years he has been here as chief.

45  
46 The work session was ended at 6:55 p.m.  
47  
48



1 Councilman Simonsen reported that the final Concert in the Park event will be held on Friday  
2 at 7:00 p.m. with “The Endless Summer Band” performing. The Bountiful Rotary Club will hold a  
3 car parade and drive through Bountiful on Saturday morning from 9:00 a.m.-10:00 a.m. instead of  
4 hosting their annual “Coats for Kids Car Show” this year. The Veteran’s Park finished pouring the  
5 last of the cement yesterday and he encouraged everyone to drive by and see how nicely it is coming  
6 along. They hope to have a November 11<sup>th</sup> grand opening in honor of Veteran’s Day.  
7

8 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID AUGUST 3**  
9 **& 10, 2020**

10 Councilman Higginson made a motion to approve the expenditures paid August 3 & 10, 2020  
11 and Councilwoman Bahr seconded the motion which passed with Councilmembers Bahr, Bradshaw,  
12 Harris, Higginson and Simonsen voting “aye”.  
13

14 **CONSIDER APPROVAL OF THE ANNUAL TYLER TECHNOLOGIES SOFTWARE**  
15 **MAINTENANCE CONTRACT FOR A TOTAL OF \$82,979 – MR. ALAN WEST**

16 Mr. Alan West explained that this is an annual request for the City’s maintenance contract  
17 with Tyler Technologies, whom the City has purchased a large amount of software from. Typically  
18 15% of the list price is the cost for maintenance which equals around \$64,000, and additional costs  
19 for some server maintenance and some licensing, makes the total \$82,979.

20 Councilwoman Harris made a motion to approve the contract with Tyler Technologies and  
21 Councilwoman Bradshaw seconded the motion. The motion passed with Councilmembers Bahr,  
22 Bradshaw, Harris, Higginson and Simonsen voting “aye”.  
23

24 **CONSIDER APPROVAL OF THE BID FROM AMERICOM TECH, INC. IN THE AMOUNT**  
25 **OF \$46,313 FOR DIRECTIONAL DRILLING – MR. ALLEN JOHNSON**

26 Mr. Gary Hill (in lieu of Mr. Johnson) explained that this is simply a continuation of some of  
27 the boring that is being done around the City for replacement of streetlight and power conduits, and  
28 there are a couple more projects while they are in the City working.

29 Councilman Higginson reported that the Power Commission recommends approving the bid  
30 from Americom as well.

31 Councilman Higginson made a motion to approve the bid from Americom Tech and  
32 Councilwoman Bradshaw seconded the motion. The motion passed with Councilmembers Bahr,  
33 Bradshaw, Harris, Higginson and Simonsen voting “aye”.  
34

35 **CONSIDER APPROVAL OF ORDINANCE 2020-08 AMENDING THE BOUNTIFUL CITY**  
36 **LAND USE CODE TO ALLOW INDOOR RANGES AS A CONDITIONAL USE IN THE C-G**  
37 **SUBZONE – MR. FRANCISCO ASTORGA**

38 Mr. Curtis Poole explained that this is to allow indoor ranges in the C-G Zone as a conditional  
39 use. This will affect the entire C-G Zone (which is mostly located along 500 South) and not just the  
40 property currently applying for approval. Because the current code does not give any direction about  
41 indoor gun ranges, staff took this opportunity to write a new section of code that would help guide  
42 them in this area. The new code defines what constitutes an indoor range and where it can be located.  
43 They added a sound study as a condition of approval, as well as requiring applicants to include at  
44 least three of the following four amenities:

- 45 1. A retail component for the sale of firearms, ammunition and other accessories related to  
46 firearms. Such facility shall comply with all licensing and operation requirements of the  
47 Federal Bureau of Alcohol, Tobacco and Firearms, State Agencies and other regulatory  
48 organizations.

- 1 2. Classroom facilities to be used for community education, public forums and seminars
- 2 on gun safety and use.
- 3 3. Exclusive access to the shooting range by local law enforcement at least quarterly for
- 4 training purposes.
- 5 4. A restaurant or dining component.

6 Councilwomen Bahr and Bradshaw both asked clarifying questions about the required sound  
7 study and how they determine and assure its validity.

8 Applicants Bryan Green, Chris Jeppsen and consultant Chris Hart came forward to give more  
9 information. Mr. Hart said that a standard sound meter was used to test the decibel levels outside four  
10 different indoor ranges in the state. He said that a range named “Ready Gunner” located in Orem was  
11 the most similar to the proposed Rite Aid site. Ready Gunner had a reading of 59 decibels outside the  
12 range which is considerably quieter than passing traffic noise. In measuring the noise level of passing  
13 traffic at the Rite Aid site, decibels reach to about 70 at the door of the building. He said he is very  
14 confident that sounds heard by the neighbors will be below traffic levels. He also added that  
15 retrofitting an existing building requires you build a “box within a box” and each wall reduces noise  
16 by 25-30 decibels, so the Rite Aid location is ideal for noise reduction.

17 Councilman Simonsen asked why they want to build it here. Mr. Green explained that there is  
18 a need for access to legitimate places for people to shoot and to be educated about gun safety. This  
19 will help solve problems associated with people shooting in restricted and illegal areas. It will also  
20 bring people to Bountiful to spend money here instead of elsewhere.

21 Mr. Jeppsen added that they desire to create a cultural hotspot where people can come and  
22 talk about gun issues and bridge that divide that currently exists.

23 Mayor Pro Tem Simonsen suggested they begin the public hearing once Council was finished  
24 asking questions.

25  
26 **a. PUBLIC HEARING (continued)**

27 Public Hearing was opened at 7:54 p.m.

28  
29 Mr. James Fields (966 East 800 South) said he is excited to have a range in Bountiful so he doesn’t  
30 have to drive into Salt Lake City and he can spend his money locally. He also feels the likelihood of  
31 an accidental discharge between the building and the parking lot is very minimal compared to people  
32 shooting in the foothills.

33  
34 Mr. Walt Gasser (2299 South Wood Hollow Way) said he feels this is an inappropriate location for  
35 the shooting range. He thinks the noise will be disruptive to the offices who share the building with  
36 the range as well as for people walking along the street in the evenings after traffic has died down. He  
37 acknowledged that commercial real estate can be difficult and it’s hard to find the right tenants, but  
38 that the City should not give up this prime retail location in the heart of the City to these applicants.

39  
40 Mr. Brennan Jeppson (84 West 1400 South) said he is highly in favor of the gun range. He believes it  
41 will be a great asset for safety and educational opportunities, as well as a social hub for the City. He  
42 likes that they will offer childcare on site and that the location is so accessible. He feels that the  
43 visibility of the range will help encourage people to become more educated and safer in their gun  
44 practices.

45  
46 Ms. Tiana Rogers (no address given) feels the gun range would allow more people to be prepared and  
47 educated about guns in order to help protect their families and their homes in case of home invasion.  
48 She said that even though Bountiful is a very safe place to live, those crimes do occur here and she

1 feels we all need to have access to that education. She feels the range will help empower people.

2  
3 Mr. Brett Hart (3661 S. Monterey Circle) said he wished to clear the record about the Lion’s Club  
4 being in opposition to the gun range. As the Range Committee Chairman for the Lion’s Club he  
5 stated that they are not in opposition to the range being built. He also feels that the incident that  
6 happened to Mr. Paul Smith should never be allowed to happen and admonished the Council to think  
7 about what really matters. The Lion’s Club promotes safety, education and responsibility and  
8 welcomes any venture that will help stop what’s happening on the mountain.

9  
10 Ms. McCall Harness (84 West 1400 South) said she is in support of the range not only for her own  
11 safety, education and convenience, but also because it will offer an environmental benefit to the City.  
12 The range will recycle all ammo that is used there and she hopes it will help keep people from  
13 shooting and leaving ammo and litter in non-dedicated areas. She also hopes it will reduce the risk of  
14 fires in those areas and asked the Council to take that into account too.

15  
16 Ms. Cherie Green (1651 E. Viewcrest Drive) said she feels this range will help promote family and  
17 community in Bountiful. She believes it will bring people from all over and is a great way to  
18 diversify what Bountiful businesses have to offer. She also thinks that this location is the perfect spot  
19 due to its size, its accessibility and its proximity to other businesses. She does not believe that noise  
20 will be an issue at all. She hopes we will stop sending families away in order to fulfill their needs for  
21 entertainment, education and training.

22  
23 Mr. Opie Rogers (Tooele County) said he feels that this amenity will draw people from all over to  
24 come spend time in Bountiful. He is excited about this innovative facility and that it will be the first  
25 one in Davis County. He likes that it will be in an accessible location right off the freeway. He  
26 believes places like this that promote having fun without the pressure to be an expert are very  
27 important and that the City has a very good opportunity here.

28  
29 Mr. Dean Collinwood (Owner of Sessions Place/Collinwood McConkie Law) said he feels a business  
30 that will be open until midnight should not be located in the same place as professional offices that  
31 close at 5:00 p.m. The noise of people coming and going late into the evening will be very disturbing  
32 for the residential apartments located 20 feet away. He said he feels there is a good reason gun ranges  
33 have been limited to the C-H Zone in the past and that the Council should continue to follow that  
34 guidance. He feels it inappropriate for an entertainment business to be in a professional district. He  
35 said he would never have bought the building his law practice is in if there had been a gun range  
36 located next door.

37  
38 Kylene Hilton (395 West 325 South) said that she believes learning to be good at an individual sport  
39 like shooting can help people feel good about themselves and have confidence. Opportunities like  
40 that seem to be lacking today. She has fond memories of going target shooting with her family and  
41 her father teaching her about gun safety and responsibility. She is in support of the gun range being  
42 built, especially since not every family has the capability of educating their children about gun safety  
43 and this will help them do that.

44  
45 Mayor Pro Tem Simonson asked for a motion to close the public hearing.

46 Councilwoman Bahr made a motion to close the public hearing and Councilman Higginson  
47 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris, Higginson  
48 and Simonsen voting “aye”.

1  
2 The Public Hearing was closed at 8:25 p.m.  
3

4 **b. ACTION**

5 Councilman Higginson said he has a positive feeling about this facility and what it can bring  
6 to our community. He feels assured that the City will make sure the facility is safe and that it is quiet,  
7 so he is in support of changing the code to accommodate it.

8 Councilwoman Harris agreed that it will be an asset and an opportunity for people to have  
9 more experiences with family and friends instead of just buying things online. We will all benefit  
10 from it.

11 Councilwoman Bradshaw said she agrees with those that feel that more ways to keep people  
12 spending their dollars in Bountiful should be found and those opportunities should be continued to be  
13 found. She does not feel that noise will be an issue that they cannot mitigate successfully. She  
14 believes this proposal is a good thing.

15 Councilwoman Bahr said she agrees that the noise will not be a big issue in the end and she is  
16 glad there will be somewhere people can go to learn proper gun safety.

17 Councilman Simonsen said he has taught his children how to use a firearm and thinks this is a  
18 great opportunity to keep business here.

19 Councilman Higginson made a motion to approve Ordinance 2020-08 to amend the Land Use  
20 Code text to allow Indoor Gun Ranges as a conditional use in the C-G Zone. Councilwoman Harris  
21 seconded the motion. The motion passed with the following roll call vote:

22 Harris A  
23 Bradshaw A  
24 Higginson A  
25 Bahr A  
26 Simonsen A  
27

28 **CONSIDER ENTERPRISE FUND TRANSFERS FOR RE-APPROVAL: – MR. TYSON**  
29 **BECK**

30 Mr. Tyson Beck explained that these two transfers were originally approved on June 16<sup>th</sup>,  
31 2020, but due to an oversight regarding state noticing requirements, the City has been asked to repeat  
32 the public hearing and approval process. The transfers are exactly the same as they were when  
33 presented on June 16<sup>th</sup>.  
34

35 **a. FY2021 TRANSFER OF FUNDS FROM THE LIGHT AND POWER FUND TO**  
36 **THE GENERAL FUND**

37 Mr. Beck explained that the transfer from the Light & Power Fund to the General Fund is a  
38 way to subsidize the General Fund without having to raise property taxes for the residents of  
39 Bountiful. The General Fund provides us with police, emergency medical, fire, streets maintenance  
40 and snow plowing services. These essential services benefit all residents of Bountiful, not just those  
41 who own property. It also helps to offset the impact of entities who do not pay property taxes;  
42 churches and nonprofits, etc. As it stands, Bountiful has the lowest property tax rate of all the cities in  
43 Davis County, and even with the transfer, Bountiful’s power rates are still lower on average than  
44 Rocky Mountain Power. In total the transfer constitutes 7% of the total expenses for Bountiful City  
45 Light & Power Fund.  
46

47 **i. PUBLIC HEARING**

48 The Public Hearing was opened at 8:49 p.m.

1  
2           Ron Mortensen (representing Citizens for Tax Fairness) said that he feels the annual  
3 transfer must be affecting power rates, which have risen 35% since 2005, because we could  
4 not do the transfer if we didn't have a surplus in that fund. He stated that even though our  
5 rates are lower on average than Rocky Mountain Power rates, we aren't taking into account  
6 the perks that Rocky Mountain gives their customers; energy rebates and incentives for  
7 energy efficient appliance purchases, tax reduction roll-backs, etc. He feels the gap between  
8 competitors' power rates and ours has shrunk significantly over time. He also mentioned that  
9 the residents of Bountiful help fund the schools, churches and non-profits, so it affects all  
10 residents in this way too.

11  
12           Councilman Higginson made a motion to close the public hearing and Councilwoman  
13 Bahr seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,  
14 Higginson and Simonsen voting "Aye".

15  
16           The Public Hearing was closed at 8:58 p.m.

17  
18                           **ii.     ACTION**

19           Councilwoman Bradshaw made a motion to approve the FY2021 Transfer of Funds  
20 from the Light and Power Fund to the General Fund and Councilwoman Bahr seconded the  
21 motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and  
22 Simonsen voting "aye".

23  
24                           **b.   FY2021 TRANSFER OF FUNDS FROM THE LANDFILL FUND TO THE**  
25                           **RECYCLE FUND**

26           Mr. Beck explained that the FY2021 budget proposed a \$238,056 transfer from the Landfill  
27 Fund to the Recycling Fund. This transfer is to help subsidize the recycling market which took a dive  
28 in 2018. The Council voted then to use funds from the landfill to continue the recycling program and  
29 offset the raised costs of collecting residents' recyclables. He said staff is continually watching the  
30 market and evaluating the best course of action. The transfer does not touch the primary funds of the  
31 landfill, but is less than the interest earned annually on the fund. In total it constitutes 12.3% of total  
32 Landfill Fund expenses.

33  
34                           **i.     PUBLIC HEARING**

35           The Public Hearing was opened at 9:00 p.m.

36  
37           Ron Mortensen (representing Citizens for Tax Fairness) said the Council promised  
38 that the recycling market would recover and that by looking at the increase in the amount of  
39 the transfer from last year to this year, it seems the recycling market has worsened. He said it  
40 makes him wonder how much longer we will keep subsidizing it. He asked if there was any  
41 limit imposed on the scope of the transfer. He wonders how the average citizen will know the  
42 real costs of recycling if we keep subsidizing it. He suggested that if the landfill is so  
43 profitable, perhaps we should reduce landfill fees.

44  
45           Councilman Higginson stated that the City is required to maintain enough money in a fund to  
46 close the landfill at such time that is needed. The transfer uses less than the fund makes in interest  
47 annually. He also said that no one ever promised the recycling market would recover, just that it  
48 might.

1 Councilwoman Harris thanked Ron for his comments and said the points were well-taken.  
2 They had tough decisions ahead and would address the recycling market as needed.

3 Councilwoman Bradshaw made a motion to close the public hearing and Councilwoman  
4 Harris seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,  
5 Higginson and Simonsen voting “Aye”.

6  
7 The Public Hearing was closed at 9:05 p.m.

8  
9 Councilwoman Bradshaw made the comment that she hates to think what would happen if  
10 the recycling program was suspended until the market recovered. Many people would lose the know-  
11 how and momentum to recycle.

12  
13 **ii. ACTION**

14 Councilwoman Bradshaw made a motion to approve the FY2021 Transfer of Funds  
15 from the Landfill Fund to the Recycling Fund and Councilwoman Bahr seconded the motion.  
16 The motion passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen  
17 voting “aye”.

18  
19 **CONSIDERATION OF RESOLUTION 2020-10 (REVISION OF RESOLUTION 2020-06)**  
20 **FORGIVENESS OF INTERFUND LOAN BETWEEN THE LANDFILL FUND AND THE**  
21 **WATER FUND AND ASSOCIATED TRANSFER OF FUNDS – MR. TYSON BECK**

22 Mr. Beck explained that this item has been amended since it was approved in June. In the  
23 forgiveness of this loan between the Landfill Fund and the Water Fund, a specific section of code was  
24 looked at that it was thought it pertained to. The State Auditor’s Office has determined it pertains to a  
25 section of code dealing with transfer of funds. So the Resolution has been amended to include the  
26 section of code that the State recommended and wish to hold another Public hearing to approve the  
27 amended Resolution. The proposal did not change.

28 Mr. Beck explained that the loan was made to help fund the Mueller Park Water Treatment  
29 Plant project. The City proposed, when it adopted its new reserve policy, that the loan should be  
30 forgiven, which will help keep the Water Fund reserves where the City wants them to be and will not  
31 have a significant impact on the Landfill Fund.

32  
33 **a. PUBLIC HEARING**

34  
35 The Public Hearing was opened at 9:12 p.m.

36  
37 Ron Mortensen (representing Citizens for Tax Fairness) admonished the Council to  
38 heed the State Auditor’s requirement to hold public hearings at the time they are noticed to be  
39 held. He asked where we are getting so much money from and said he wonders if the Landfill  
40 has become a slush fund. He also asked the Council to consider whether or not every  
41 Bountiful resident is getting an equal benefit from these transfers. There are some residents of  
42 Bountiful who do not receive a benefit because Bountiful Water does not service every home.

43  
44 Councilwoman Harris made a motion to close the public hearing and Councilwoman  
45 Bradshaw seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,  
46 Higginson and Simonsen voting “aye”.

47  
48 The Public Hearing was closed at 9:15 p.m.

1  
2 **b. ACTION**

3 Councilman Higginson made a motion to approve Resolution 2020-10 as a revision of  
4 Resolution 2020-06 to forgive the interfund loan between the Landfill Fund and the Water Fund.  
5 Councilwoman Bahr seconded the motion. The motion passed with the following roll call vote:

6 Bradshaw A  
7 Higginson A  
8 Bahr A  
9 Simonsen A  
10 Harris A

11  
12 **CONSIDER APPROVAL OF A DEER PROGRAM – CHIEF TOM ROSS**

13 Chief Tom Ross explained that they began the Deer Abatement program in 2014, and  
14 removed around 700 deer from Bountiful in a five year period. The deer were trapped and relocated  
15 as part of that program. Due to illness found in the deer, the Division of Wildlife Resources (DWR)  
16 will not allow the City to continue to relocate deer. The only option given for deer abatement is a  
17 lethal program. He explained that many other cities along the Wasatch Front are currently doing this  
18 because urban deer populations increase significantly if nothing is done.

19 Chief Ross said that in January 2020, the Council discussed all the options and asked that the  
20 City conduct a survey to gather public comment about the issue. He went over the results of the  
21 survey with the Council. He said staff recommends a trap and euthanize program. Trapping would  
22 only occur on consenting properties, and the program will not seek to completely eradicate deer,  
23 merely to control the population. He said it is important to have an ecosystem that works together,  
24 and if action is not taken the deer will still die, but it will be from worse and less humane situations;  
25 getting hung up on fences, getting diseases and getting struck by cars. The increase of deer in the City  
26 will also attract predators into the City, among other issues; yards being destroyed, car accidents and  
27 children and adults being hurt. The first year of the program will seek to remove 50-75 deer as its  
28 goal, then staff will evaluate as time goes on. He said they feel the trap and shoot program is the  
29 safest and most humane one to implement.

30 Councilwoman Harris asked about the idea of donating the deer meat. Chief Ross said that he  
31 has recently learned more about the costs and difficulties of donating the meat. He said there is a very  
32 short window of time to work with the meat and the closest butcher who does this sort of work is  
33 located in Ogden and they charge around \$60 per deer. He said they will continue to look at options  
34 but it seems apparent that no other cities are doing this because cost and logistics are such a deterrent.  
35 Councilwoman Harris asked if perhaps a lottery system could be developed for residents of Bountiful  
36 to take the meat and process it themselves. Chief Ross said that is definitely a possibility and they  
37 will continue to look into any options at the direction of the Council.

38 Councilman Higginson said he likes having deer here, it enhances his experience living in  
39 Bountiful. He also understands that there are two distinct deer populations, those that live downtown  
40 and stay here their entire lives and are used to people, and those that live in the foothills and come  
41 into town. He hopes the right parameters can be set for a management program. He said he likes the  
42 idea of making the meat available to locals instead of spending the money to test and process it  
43 ourselves.

44 Councilwoman Bradshaw made a motion to enter into a lethal deer program, focusing on the  
45 deer west of Bountiful Boulevard, and Councilman Higginson seconded the motion. The motion  
46 passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.  
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1 **CONSIDER APPROVAL OF A SECOND EXTENSION OF THE DEADLINE TO**  
2 **CONSTRUCT ALL PUBLIC IMPROVEMENTS FOR THE KATHRYN LANE P.U.D. – MR.**  
3 **LLOYD CHENEY**

4 Mr. Lloyd Cheney explained that an extension was approved for this P.U.D. 15 months ago  
5 and the developers now have the means to begin construction and to complete this project. Staff  
6 recommends approving a second extension in order to allow the developers to finish.

7 Councilwoman Harris made a motion to approve the extension for the Kathryn Lane P.U.D.  
8 and Councilman Higginson seconded the motion. The motion passed with Councilmembers Bahr,  
9 Bradshaw, Harris, Higginson and Simonsen voting “aye”.

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11 **CONSIDER APPROVAL OF THE SALE OF LOT 1, SLAGWOOD SUBDIVISION TO TLC**  
12 **CONSTRUCTION – MR. LLOYD CHENEY**

13 Mr. Cheney explained that when they first put this property up for bid, there were three offers  
14 received, but were rejected because they were too low. They recently received a bid from TLC  
15 Construction that was more in line with fair market value and they recommend accepting it. The offer  
16 is for \$200,000, with the proceeds going toward the purchase of property for the 400 North reservoir.  
17 He feels the developer will act quickly to design and build a home there and sell it, which will be a  
18 nice thing for the neighborhood.

19 Councilwoman Bradshaw made a motion to approve the sale of Lot 1 in the Slagwood  
20 Subdivision to TLC Construction and Councilwoman Bahr seconded the motion. The motion passed  
21 with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

22  
23 Mr. Hill explained to the Council that Mr. Cheney was the one who had the idea to use that  
24 vacant lot to hold the extra dirt from the 400 North project and then to sell the lot and use the  
25 proceeds for the project. This saved the City around \$200,000 in total. According to a City policy,  
26 any employee who saves the City a significant sum of money is due to a bonus of up to \$500.00.

27 Councilwoman Bahr made a motion to award Mr. Lloyd Cheney with a \$500.00 cost savings  
28 bonus and Councilwoman Harris seconded the motion. The motion passed with Councilmembers  
29 Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

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32 **CONSIDER APPROVAL OF THE PRELIMINARY AND FINAL ARCHITECTURAL AND**  
33 **SITE PLAN FOR A NEW MULTI-TENANT DEVELOPMENT LOCATED AT 19 WEST 500**  
34 **SOUTH – MR. FRANCISCO ASTORGA**

35 Councilwoman Bahr recused herself from the next agenda item due to personal interest.

36 Mr. Curtis Poole explained that the applicants are proposing to demolish the current buildings  
37 on this site and build a new 3-story building (one underground level, two above-ground levels) to  
38 house Bahr Dermatology and another professional office. They will close the eastern access point and  
39 revise the western access point, and all parking requirements are being met based on total square  
40 footage. They are, however, asking for a relief to some of the setback requirements in the code. In  
41 return they will add additional landscaping to the property. The Planning Commission voted 6-0 in  
42 favor of approval.

43 Councilmembers Bradshaw and Simonsen stated that they are patients of Bahr Dermatology.

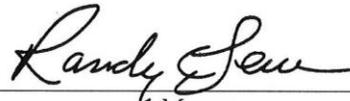
44 Councilwoman Harris made a motion to approve this project and Councilman Higginson  
45 seconded the motion. The motion passed with Councilmembers Bradshaw, Harris, Higginson and  
46 Simonsen voting “aye”.

1 **ADJOURN**

2 Councilwoman Harris made a motion to adjourn the meeting and Councilwoman Bradshaw  
3 seconded the motion. The motion passed with Councilmembers Bradshaw, Harris, Higginson and  
4 Simonsen voting “aye”.

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6 The regular session of City Council was adjourned at 10:04 pm

  
\_\_\_\_\_  
Mayor

  
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City Recorder