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**Minutes of the
BOUNTIFUL CITY COUNCIL**

October 8, 2019 – 6:15 p.m.

Present: Mayor Randy Lewis
Councilmembers Kate Bradshaw, Kendalyn Harris, Richard Higginson,
Chris Simonsen
City Manager Gary Hill
Asst. City Manager Galen Rasmussen
City Engineer Lloyd Cheney
City Planner Francisco Astorga
City Attorney Clinton Drake
Parks Director Brock Hill
Chief of Police Tom Ross
Recording Secretary Maranda Hilton

Excused:
Councilman John Marc Knight

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 Meeting – 6:15 p.m.
South Davis Metro Fire Station Conference Room

Mayor Lewis called the meeting to order at 6:15 pm and welcomed those in attendance and excused Councilman Knight who is ill.

Brickyard Bark Park update – Mr. Brock Hill

Mr. Brock Hill, Parks Director, presented to the Council the usage trends and present state of the new Brickyard Dog Park. He reported that the park has been heavily used since its opening and is well-loved by the public. He showed pictures comparing the turf at opening day to today and it showed significant loss in many spots. Because of the heavy use and the recent wet conditions, there has been up to 90% turf loss in some areas of the park with about 20% loss overall. Park staff has already over-seeded and had short park closures in order to mitigate turf loss, but will need to start thinking about an extended closure as well as rules for inclement weather closures hereafter.

Another issue that needs to be addressed is educating the public on ways they can help maintain the park. There are already several people who voluntarily clean the park every morning and who want to be of service, but we need to find a way to let the public know what is needed and helpful and what is not.

Mr. Hill also stated “We know there are people who abuse the park and adjacent properties, letting their dogs roam. Those are things that we can address over time. We chose this location because it wasn’t as used as other parks, but we know it has had an impact on the neighbors, and we are working on that.”

Mr. Hill proposed that one idea to help get a more robust turf would be to have an extended

1 closure of the park over the winter months. This would allow the seed to germinate long enough to be
2 more resistant to wear. Research is being done on different types of seed mixes that germinate
3 quickly and are better for heavily used areas.

4 The Council then had a discussion about when the best time for planning an extended closure
5 might be. In the winter, park usage is expected to drop by around 40%, so that might be the best time.
6 Also, having dogs run around on packed ice is bad for both the dogs (cracked paws) and the turf
7 (frozen roots). They also brainstormed ideas about possibly doing partial closures instead of closing
8 the park entirely; Mr. Hill said he liked that idea if they can't do a full closure. This would be more
9 consistent for the residents and help keep satisfaction with the park high. They talked about how to
10 navigate the winter, possibly allowing the Parks Department the ability to close the park when snow
11 is on the ground, or having delayed starts when the ground is frozen, or alternating on/off days. The
12 general consensus is that Staff should do what needs to be done in order to preserve and take care of
13 the park, while striving to have it open as much as possible. And when it is closed, make sure
14 residents are informed with signage and social media updates.

15 It was also suggested that a second dog park be opened in order to give residents another option
16 when one park is closed for maintenance. Mr. Hill said it is feasible since they originally looked at
17 two locations for this park, they could see what amenities are needed at the second site and work on
18 opening that one in the future.

19 Councilwoman Bradshaw suggested establishing an email list of dog park users to inform them
20 of maintenance and issues instead of having to call or email Mr. Hill directly about every little thing.
21 He liked that idea. She stated that she knows many people who would love to help and to donate bags
22 for the park, etc., and she would love to find a good way to get that information to Mr. Hill in order to
23 be useful.

24 Mr. Hill thanked the Council for their input and suggestions and said he would write up what he
25 felt they wanted and get back with them at a later date to confirm plans moving forward.

26
27 The meeting was closed at 6:51 pm.
28
29

30 **Regular Meeting – 7:00 p.m.**
31 **South Davis Metro Fire Station Conference Room**
32

33 Mayor Lewis called the meeting to order at 7:00 p.m., welcomed those in attendance and
34 excused Councilman Knight. Mr. Garth Oborn led the Pledge of Allegiance, and President Lance
35 Regis, 2nd Counselor in the Bountiful South Stake, offered a prayer.
36

37 **Public Comment**

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

40 Kathleen Bailey, (1272 E. North Ridge Drive) commented about the zoning change that was
41 approved by Council last September to allow rental of Accessory Dwelling Units (ADUs) to
42 unrelated parties. The entire process from the time it was first noticed publicly to when it was
43 approved took one month. She feels that we did not have the opportunity as a community to come
44 together and discuss the implications of this change for our town. Also, because we left “contract
45 purchaser” undefined in the code, we now have situations where the owner is not on site and the law

1 is being abused by investors. We need to fix that problem, and we need to have more notice and more
2 engagement on this process.

3 Seymour Winter, (1217 South 300 West) commented about the impact of the dog park on the
4 neighbors, stating that their homes are now “unlivable” due to the noise from the park. He said it is
5 “unconscionable” to put the park there without also putting up a barrier to protect the homes next to
6 the park. He asked the Council to please consider putting up a physical barrier to mitigate the impact
7 to the homeowners.

8
9 Linda Ransdell, (1133 South 300 West) commented that she agrees with Mr. Winter’s
10 assessment of the situation and feels that the answer is to give that park back to the neighborhood
11 children and find a better location for the dog park that is bigger and can accommodate the heavy
12 usage. She talked to 80 residents in that neighborhood and the majority said they miss having that
13 park for their kids.

14
15 The public comment section was closed at 7:10 p.m.

16
17 **APPROVE MINUTES OF PREVIOUS MEETING HELD ON SEPTEMBER 24, 2019**

18 Councilman Simonsen made a motion to approve the minutes from September 24, 2019, and
19 Councilman Higginson seconded the motion. The motion passed with councilmembers Bradshaw,
20 Harris, Higginson and Simonsen voting “aye”.

21
22 **COUNCIL REPORTS**

23 Councilwoman Bradshaw did not have a report, but she is happy to have so many residents
24 with us this evening.

25 Councilman Simonsen invited Mr. Richard Watson to come up and present information about
26 a concert on Monday, October 14th at 7:00 p.m. at Bountiful High School. The US Air Force
27 Academy Clarinet Quartet is performing. The concert is free, but you need to have a ticket.

28 Councilwoman Harris announced that a TedxBountiful event will be happening on February
29 1, 2020 in Bountiful. We hope to feature local or nearby residents to give talks, please apply by
30 October 15.

31 Councilman Higginson did not have a report.

32
33 **BCYC REPORT**

34 Sarah Shumway reported that the recycling contractor for Bountiful gave the BCYC a
35 presentation about what can and cannot be recycled and the BCYC in turn made a short video about it
36 which is available on the City Facebook page.

37 Simon Kisby announced the Halloween Carnival on October 25th from 4-5:30 pm. It will be at
38 North Canyon Park. All ages are invited to attend, but it’s targeted for ages 4-12 years old. There will
39 be many fun activities, a spook tunnel, cookie decorating, a fish pond and more.

40
41 **CONSIDER APPROVAL OF:**

42 **a. WEEKLY EXPENDITURES >\$1,000 PAID SEPTEMBER 16 & 23, 2019**

43 **b. AUGUST 2019 FINANCIAL REPORT**

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

1
2 **PRESENTATION OF DAVIS COUNTY CERT TROPHY TO MAYOR AND COUNCIL –**
3 **BOUNTIFUL CERT TEAM**

4 Mr. Rob Hunter, CERT Board Leader, came forward and introduced the CERT team
5 members who recently participated in a county-wide competition where they were tested on search
6 and rescue, treating wounds, putting out fires, etc. Our Bountiful CERT team took first place, beating
7 all the other cities in Davis County and brought home a big trophy. Team members were: David Rich
8 (Team Leader), Jodie Riedthaler, Eliza Burgine, Richard Watson, Nancy Brooklyn, Wendy Hooker,
9 Matt Hunter, Chris Hunter and Mark Peters. Also present was Rebecca Riedler who helped organize
10 the competition.

11 The Mayor commended the team on their good work and said how much he appreciates them.
12 They play a huge role in our community during disasters and emergencies. They presented the Mayor
13 with a CERT hat and t-shirt since he took the CERT classes and is now a CERT member. The trophy
14 will reside at the Police Department for safekeeping.

15
16 **CONSIDER APPROVAL OF RESOLUTION 2019-10 FORMALLY ADOPTING THE DAVIS**
17 **COUNTY’S PRE-DISASTER MITIGATION PLAN – LT. DAVE EDWARDS**

18 Chief Ross excused Lt. Edwards who got in a traffic accident. He presented the Davis
19 County’s Pre-Disaster Mitigation Plan for adoption. In 2016, Bountiful City participated with Davis
20 County to prepare this plan, which addresses disaster risks in Davis County and provides plans to
21 mitigate those risks. FEMA formally adopted it, and requires that the City adopt it by formal
22 resolution in order to be eligible for federal grant funding related to disaster mitigation projects.

23 Councilman Simonsen made a motion to approve Resolution 2019-10 and Councilman
24 Higginson seconded the motion. The motion passed with Councilmembers Bradshaw, Harris,
25 Higginson and Simonsen voting “aye”.

26
27 **CONSIDER APPROVAL OF THE ELECTION JUDGES AS PROVIDED BY THE DAVIS**
28 **COUNTY CLERK/AUDITOR’S OFFICE FOR THE 2019 GENERAL MUNICIPAL**
29 **ELECTION – MR. GARY HILL**

30 Mr. Gary Hill presented to the Council that we need to appoint election judges every year that
31 an election is held. The County is managing the election for the City and they have given us a list of
32 judges that staff recommends the Council approve tonight.

33 Councilman Higginson made a motion to approve the list of election judges and
34 Councilwoman Bradshaw seconded the motion. The motion passed with Councilmembers Bradshaw,
35 Harris, Higginson and Simonsen voting “aye”.

36
37 **CONSIDER APPROVAL OF RESOLUTION 2019-09 WHICH ESTABLISHES VOTER**
38 **PARTICIPATION AREAS AS PROPOSED BY THE DAVIS COUNTY CLERK/AUDITOR’S**
39 **OFFICE – MR. CLINTON DRAKE**

40 Mr. Clint Drake presented that last year Utah State legislature passed House Bill 119 which
41 requires cities to approve voter participation areas. Based on the population and size of Bountiful,
42 four voter participation areas (VPAs) are required. Bountiful’s VPAs were determined by the
43 County, based on Bountiful’s previously established voting precincts, making sure each area has
44 approximately the same number of voters. Staff agrees with how the County determined the four
45 VPAs and recommends approval of the areas as proposed.

1 Councilwoman Harris made a motion to approve Resolution 2019-09 and Councilman
2 Simonsen seconded the motion. The motion passed with Councilmembers Bradshaw, Harris,
3 Higginson and Simonsen voting “aye”.

4
5 **CONSIDER APPROVAL OF A LICENSE AGREEMENT WITH PERFORMANCE HONDA**
6 **– MR. CLINTON DRAKE**

7 Mr. Drake explained that Performance Honda wants to expand their lot, and Bountiful City
8 owns a driveway adjacent to the dealership that accesses the cemetery which is not intended for
9 public use. Performance Honda wants to have use of this driveway in order to make their expansion
10 plans feasible. City Staff has reviewed their plan and felt it was a good idea to assist them in this
11 endeavor. They will put in a couple of drive approaches which will allow for better circulation of
12 their inventory. The agreement states that they cannot park there or obstruct the driveway in any way
13 and that they are responsible for debris and snow removal. The agreement will be for 15 years, at
14 which time either party may terminate the agreement. The agreement also has a provision that allows
15 the City to terminate early if Performance Honda is not upholding the agreement, but the City does
16 not anticipate that happening.

17 Councilwoman Bradshaw made a motion to approve the license agreement and Councilman
18 Higginson seconded the motion. The motion passed with Councilmembers Bradshaw, Harris,
19 Higginson and Simonsen voting “aye”.

20
21 **CONSIDER APPROVAL OF THE PURCHASE OF TWO POLICE VEHICLES FROM**
22 **TONY DIVINO AND PERFORMANCE FORD IN THE TOTAL AMOUNT OF \$58,600 –**
23 **CHIEF TOM ROSS**

24 Chief Ross presented the purchase of two police vehicles to the Council for approval. The
25 cost of the purchases are included in the FY2020 budget. The two vehicles will be a 2020 Toyota
26 Camry hybrid to be assigned to the detective division and a 2020 Ford Explorer to be assigned to the
27 patrol division. In addition, the Police Department will be disposing of two vehicles, a 2012 Toyota
28 Camry and a 2009 Ford Explorer.

29 Councilman Higginson made a motion to approve the purchases and Councilwoman Harris
30 seconded the motion. The motion passed with Councilmembers Bradshaw, Harris, Higginson and
31 Simonsen voting “aye”.

32
33 **CONSIDER APPROVAL OF RESOLUTION 2019-04 CHANGING THE ZONING**
34 **DESIGNATION OF C-G TO RM-13 LOCATED AT 1265 NORTH MAIN – MR.**
35 **FRANCISCO ASTORGA**

36 The applicant, Ivory Homes, is proposing a zoning map amendment to change the zoning
37 from C-G to RM-13 of three parcels that constitute almost four acres of land. The Planning
38 Commission gave their recommendation for this change when they reviewed it, adding some
39 conditions. Staff recommends holding a public hearing and approving this zoning amendment.

40 Mr. Drake added that many neighbors made comments at the Planning Commission public
41 hearing about their worries that Ivory could increase the density of the housing on this site once they
42 are approved to build there. However, Ivory Homes was happy to agree to not increase the number of
43 units from what is in their site plan (34 units total; 22 single family homes and 12 townhomes). This
44 assuaged the residents’ concerns.

45 **a. PUBLIC HEARING**

46 The Public Hearing was opened at 7:34 p.m.

1
2 Lynn Millis, (41 West 1350 North) said she feels that the City Council really listened to
3 the residents and thanked them for listening and for all that they do.
4

5 The public Hearing was closed at 7:36 p.m.
6

7 **b. ACTION**

8 Councilman Higginson added that the whole process was really nice, and the developer was
9 very attentive to the wishes of the neighborhood.

10 Councilman Higginson made a motion to approve the zone change and Councilman Simonsen
11 seconded the motion. The motion passed with councilmembers Bradshaw, Harris, Higginson and
12 Simonsen voting “aye”.
13

14 **CONSIDER APPROVAL OF RESOLUTION 2019-11 ADOPTING THE BOUNTIFUL CITY**
15 **TRAILS MASTER PLAN – MR. FRANCISCO ASTORGA**

16 Mr. Astorga presented a quick overview of the components of the Trails Master Plan, and
17 briefly talked about the “Vision, Goals and Objectives” portion of the plan. “The vision of the plan is
18 to provide a comprehensive and diverse trails system that provides for and encourages healthy
19 lifestyle, social engagement and access to the natural environment.” He explained that after going
20 through a comprehensive planning process to get input from the community, it was determined what
21 the community goals and aspirations are in terms of trails development. “A plan simply tells us where
22 we want to go, it does not tell us how we get there or give a specific timeline.”

23 In 2009, Bountiful City adopted The General Plan which consisted of the Land Use Plan, the
24 Transportation Plan, the Downtown Master Plan, and the Recreational and Trails Master Plan (TMP).
25 In 2017, it was determined that the highest recreation priority was the trail system, so the TMP was
26 updated accordingly under the direction of the Council and City Staff. Many meetings between the
27 volunteer Trails Committee and City Staff took place between 2017 and 2019. Residents were also
28 involved through a City Council work session, a community survey, a public open house and a draft
29 of the TMP presented at a City Council meeting between September, 2018 and July, 2019. All of
30 these discussions were noticed in the local newspapers and posted on the City’s website and social
31 media.

32 Mr. Astorga explained that Creekside (also referred to as Millcreek) Trail, one of the
33 proposed trails in the TMP, has been on the TMP in some form since 2009 and was adopted by the
34 City Council at that time. The purpose of Creekside Trail is to provide an off-street connection
35 between Mueller Park and Bountiful, and create a much-needed fire access for the canyon. He also
36 explained that the City cannot acquire property for trails without consent of property owners, so the
37 creation of this trail will only be accomplished with a partnership between property owners and the
38 City. There is no timeline in place for the creation of this trail.

39 Lastly, he explained that Staff failed to place the proposed TMP on the City’s website after
40 being presented to Council on July 23, 2019. And Staff also failed to place the proposed TMP in the
41 packet for this evening’s agenda, which made it difficult for residents to have access to it in advance
42 of the meeting tonight. He apologized for those oversights.
43
44
45

1 The master plan shows an aligned trail that runs adjacent to Mill Creek, east to west through
2 the entire City. The same trail was in the 2009 plan that was adopted by the City Council then. It
3 provides off street connection and a fire access to the canyon. Construction of trails on private
4 property can only happen with a partnership and is not allowed under Eminent Domain statutes.

5 Mr. Astorga explained that the Council could adopt the plan tonight, or adopt it with
6 amendments, or continue it to another day with direction to Staff about issues that need to be
7 addressed.

8 Councilmembers asked Mr. Astorga about property owners' rights and how trespassing would
9 be resolved. Mr. Drake answered that property owners can put any kind of fencing or signage they
10 want on their land, and that anyone refusing to leave could be charged with a class B misdemeanor.
11 Chief Ross explained that they have responded to trespassing calls in that canyon before and will
12 continue to do so, but that trespassing is actually more prevalent on the west side of Davis Blvd. with
13 parties and illegal activity and has not been a big issue in the canyon.

14 Councilman Higginson commented that there is not any protocol in place for residents to give
15 their input in an organized fashion, and suggested to Staff that the problem be solved. The Mayor
16 agreed.

17 The Mayor mentioned that Mr. Jesse Bell (Trails Committee Chair) has worked very hard,
18 volunteering his time in order to serve the City and that if anyone has said anything unkind to him
19 that they should go thank him for his hard work. He then laid down the rules for tonight's public
20 hearing, asking everyone to only take 2-3 minutes each and to alternate between people who are "for"
21 the TMP and people who are "against" it.

22
23 The Public Hearing was opened at 7:59 pm
24

25 Name not given, (1160 East Millbrook Way) stated that it was unethical to not talk to the
26 property owners whose land would be affected by the Creekside Trail. The plan has been in place for
27 13 years and he didn't know anything about it until now. He lives there for the privacy and does not
28 want a "zoo" in his backyard. If you make plans in the future you should let people know, they have a
29 right.

30 Cindy Foreman, (1456 East Brentwood Lane) is the current Director for the South Davis
31 Composite Mountain Bike Team (SDCMBT), she stated that between her team and their sister team
32 in Farmington there are 200 students (and growing) that are trying to use the trails in Davis County.
33 All of these kids using the trails in Davis County means that we travel far in order to get our kids
34 riding trails. We often drive over two hours to get kids to Snow Basin or take I-80 to get to trails. We
35 strongly support the development of trails in the foothills. We don't have a strong opinion about
36 Creekside Trail.

37 Doug Butts, (1016 East Millbrook Way) told the Council of his experience living in his home
38 on Millbrook Way for the past 15 years. He used an excavator to build a trail down his property
39 which took a lot of time and money. Every year he gets people in his backyard vandalizing his
40 property and it's a terrible situation. He feels it will only get worse if we put a trail there. He also
41 feels that there will be increased fire risk if we invite more people into that canyon with a public trail.

42 Dave Gillespie, (1399 South 325 East) said he came to represent the wheelchair users of the
43 community. As he looked through the Trails Master Plan he didn't see any mention of how the trails
44 would be accessible for off-road adapted equipment like off-road wheelchairs. He has the ability to
45 use trails, except that many of our trails have gates in front of them making it impossible. He would

1 like to change that and make it accessible so that he and his friends can participate just like anybody
2 else.

3 Tracy Maughan, (1030 East Millbrook Way) stated that she recently purchased the home her
4 parents lived in for 27 years along with their property and will not give the City permission to use her
5 property for the Creekside Trail.

6 Mitchell Spence, (577 East Millcreek Way) said that when Creekside Park was planned in his
7 backyard, the whole thing got a little ugly, and it didn't need to happen that way. Now that the park
8 has been there for two years, he reported that it's not a big deal having the trail and the park in their
9 backyard. There's hardly anyone on it during the week, and his children use the park as their
10 backyard. They haven't had any problems with people trespassing or vandalizing their property. He is
11 neutral about the Creekside Trail issue, but he wanted property owners to know that the trail on his
12 property has been a good thing.

13 Mark Rinehart, (1059 East Millstream Way) said he represents a large group of homeowners
14 along Millcreek who are all adamantly opposed to this idea and they appreciate the chance to be
15 heard. It's their first chance to speak about this issue with the City. He reported that in the 26 years he
16 has lived there, he has had issues with people trespassing and leaving trash on his property. He said
17 there is "zero chance" that anyone with property along the creek will consent to give the land for a
18 trail and suggested they remove it from the plan altogether.

19 Isabelle Blackburn, a 7th grader, said she has been on the SDCMBT for about a year and she
20 loves it. It helps her connect with nature, get physical exercise and helps clear her mind. The only
21 problem is that her parents often have to drive 20-60 minutes each way to get her to the trails for
22 practice. Having this trail (Creekside) will help us get there faster and add variety to the trails she can
23 ride.

24 Stan Preston, (1077 East Millstream Way) said he has owned his property for 28 years, and
25 similar to others who have commented, he has put a lot of resources into his property, building a trail
26 and making it into a space his family can enjoy. He echoes the same problems about trespassers and
27 trashing of property, it's disturbing and it happens a lot. He is also troubled by the fact that the 2009
28 Trails Master Plan has no reference to Millcreek/Creekside Trail. If it has existed this long, he's
29 confused why we can't see it online or had other access to it. He said it behooves the City to talk to
30 each property owner first to see if it's even feasible. He is not opposed to trails in general, but feels
31 the Creekside Trail should be removed from the plan to respect the property owners.

32 Sam Bawden, (385 East 1500 South) from the Planning Commission, is a ride leader for the
33 SDCMBT and has three sons who participate. He said we all obviously agree we need more trails, but
34 this discussion is about one trail. The recent survey about walking and biking paths within the city
35 shows that the only trail that runs east-west that connects to the city is the Creekside Trail. The rest of
36 our trails are up in the foothills. But if it hinges on this one trail, he would say forego that trail, just
37 give them the rest. He said, "Please give us the rest of the trails and amend the master plan."

38 Joanna Wood, (1002 East Millbrook Way) agreed that we need more trails and greater access
39 to trails, because we need to get our kids outside and off the computer. She does not support the
40 Creekside trail though. She worries that she would not be able to let her son play on their property
41 because there would be strangers around if the trail is built. It would also cut off her access to the
42 creek, which they paid for. She explained that the Gun Range fire devastated a big part of our
43 community, and that if we had a fire in the canyon it would be catastrophic. She believes the
44 mountain and all of their houses would be gone well before the fire department could get them.

45 John Schmitt, (1046 East Deborah Drive) said he agrees with the comment about
46 communication issues with the TMP, it could have been much better than it was. He thanked the City

1 for the efforts being made to have a plan. He grew up in South Ogden on a wonderful trails system
2 that is completely gone now because no one made a plan. He feels here is a lot of value in our trails
3 and that we need to preserve them. He asked the Council to not let the plan get stymied or thrown out
4 because some people have an issue with one part of it. He also hopes that along with this process
5 there will be education about trail courtesy for the general public.

6 Terry Eggett, (1311 East 1700 South) said he and his wife own the largest portion along the
7 proposed Creekside Trail. He is in favor of trails and trail management, and said he has hiked the
8 trails in Bountiful for 60 years, and knows them very well. He has reviewed and analyzed the TMP
9 carefully and has identified a few issues that he feels are important before it gets approved:

- 10 1. The TMP has errors with names and distances that should be corrected
- 11 2. The TMP is heavily based on a survey that less than 1% of the population of
12 Bountiful responded to
- 13 3. There are instances of conformational bias in the TMP
- 14 4. Environmental impact of Creekside Trails is not mentioned in the TMP
- 15 5. Total construction costs are estimated to be \$4.5M, so it would save half the costs
16 (\$2.4M) if Creekside Trail were eliminated the from the TMP

17 He is in favor of eliminating Creekside trail and still working on the TMP.

18 Name unintelligible, (882 East Millbrook) said she hears the vandalism, trespassing and fire
19 concerns and wonders if we put a trail in and make it beautiful and people use it, if vandalism might
20 actually go down. She thinks it's awesome to own such beautiful land in the canyon, but the creek
21 does not belong to her, the land does, but she believes they should share it.

22 Robert Hatch, (1137 East 1500 South) thanked the Mayor for meeting with homeowners on
23 Monday night. He owns property on both sides of the creek and said his refusal to let the Creekside
24 Trail happen is enough to stop the entire thing. He said he's not going anywhere and it can't be taken
25 from them, so let's take the Creekside Trail off the Plan and move forward with the other great
26 projects and ideas in the TMP.

27 Todd Elkins, (3415 South Medford Drive) said he feels grateful for this City and the
28 wonderful community here and wants it to stay that way. He pleaded with the landowners, "Please
29 share, it will benefit all of us." He feels we are falling apart as a society because we don't have
30 communal spaces, and that the canyon will be safer and better if there are more people using it.

31 Sam Brady, an 8th grader, expressed how much he loves the trails for biking, hiking and
32 backpacking. It's something that his family loves to do together. He is also on the SDCMBT and said
33 that we need more trails so we don't have to drive an hour away for practices.

34 Kimberly Chapman, (1120 East 1500 South) said that her family owns three pieces of
35 property along the proposed trail and helped develop the Bountiful hills along with the Holbrooks.
36 They are very familiar with this area and live there very intentionally. They are completely opposed
37 to having a trail in their backyard. They are not opposed to having more trials but do not want them in
38 their backyard. She drives her children long distances for ski team practice, because that resource is
39 unavailable in their area, and is okay with that because it's part of being a parent. She said she has
40 never had any communication that a trail was being considered on her property and she has lived
41 there since 1978. She urged the Council that communicating about these things is very important.

42 Chris Christiansen, (1398 East Millbrook Way) said he owns three acres in the canyon and
43 would be excited to share his property by having a public trail on it. They bought their property to
44 benefit their kids and feel that giving more people greater access to the trails system would greatly
45 enhance our community and the overall health of our residents. He mentioned Park City, North Salt
46 Lake and Draper as cities that have vibrant trails systems and thus have thriving communities. He

1 quoted National Geographic, saying that the link between spending time outdoors and better
2 psychological, physical and mental health has been clearly established. He agreed with others who
3 have said that our trails are overcrowded, and that we need more of them. He asked the City to please
4 open up the dialogue and talk about what it would really look like to have a trail in the canyon. He
5 said there are a few owners who have developed their land in the canyon, but 99% of the space is
6 overgrown and not being used.

7 Name and address not given, said he loves trails, but he asked the Council to not spend
8 millions of dollars trying to acquire land for the Creekside trail when that money could be spent on
9 many more miles of trail along the Bonneville Shoreline. He doesn't want to see a big fight for "the
10 impossible".

11 Tommy Bawden, an 8th grader is on the SDCMBT, and said he rides on Bountiful trails seven
12 times a week. He often has to ride up 1800 South to get to Mueller Park. It is so crowded there that he
13 has to slow or stop on every turn to prevent a crash. Sometimes he will go later in the day as the sun
14 is going down to avoid peak hours, which can be dangerous as well. He supports the TMP and hopes
15 we can get more trails to spread people more and get more kids off their bums.

16 Cheryl Preston, (1077 East Millstream Way) said she likes kids on bikes, but she's not okay
17 with the city saying her property is available for everyone to use and bike through. She said it is
18 private property that she worked hard for and the City needs to respect that. She said she is not going
19 to give consent for a trail that will take away from the safety of her kids and grandkids who play
20 down there. She said there's no point in continuing with Creekside Trail because there are very many
21 owners who will never give consent.

22 Bob Larsen, (1970 South 800 East) said he has lived in Bountiful for 40 years and has spent
23 countless hours on the trails here. He has watched as other communities have built amazing trail
24 systems and can't understand why Bountiful can't make this happen. He said it drives him crazy that
25 we can't do it. The plan was made in 2006 and nothing has been done. Let's make a plan and get it
26 done.

27 Anne Marie Oborn, (987 East Millstream Way) said she loves trails and is happy for the time
28 and effort put into this TMP. She said she teaches the constitution and believes it might help people
29 to understand that the pursuit of happiness is partly to own property. She suggested that we encourage
30 public property owned by the federal government to be solicited for use by Bountiful residents to put
31 more trails on. She would rather spend this money on paying the police a better wage. She said we
32 should take Creekside Trail right off the TMP and do the other things instead. She invited everyone
33 to visit Constitution Days and learn more about our republic.

34 Hannah Foreman, (1456 Brentwood Lane) said there are not enough trails. In the past two
35 years she hasn't been able to ride Mueller Park at all, even while following proper trail etiquette,
36 simply because it is too crowded. She said she has resorted to riding the Skyline and Bonneville
37 Shoreline Trails. She has almost been hit many, many times on Skyline Drive. She thinks it would be
38 very sad to have the whole plan thrown out for one section. She supports developing Bountiful Trails
39 in the foothills.

40 Jayson Orvis (565 Twin Hollow Ct) owns 300 acres on the south part of the City and said he
41 is in favor of the trails plan and is excited to dialogue with the City. He would like to see
42 improvement in the firefighter access to the hills.

43 Colleen Eggett, (1311 East 1700 South) said that seven generations of her family have lived
44 on that property and they homesteaded that land when no one wanted to live on the bench. NO one in
45 the family desires to have a bike path there and won't sell their property to have it. She likes trails

1 and suggested that the City look for State/Federal cooperation in order to find other viable land and
2 find a solution. She feels a plan is only a plan if it is actionable and that this trail is not actionable.

3 Melanie Larsen, (1646 South 1175 East) a member of the Trails Committee, asked that we
4 consider the average age of those speaking against the Creekside Trail. The trail is not meant to
5 happen against the wishes of the property owners. She believes that in the course of years this can
6 actually happen because at some point the property will change hands. She urged that this trail is still
7 a good idea. She feels strongly that we need to create access from the urban setting to the mountain
8 setting. She said that just because people are opposed to it does not mean it isn't a good idea and that
9 it should stay in the TMP. She feels there are plenty of other projects that are higher priority, so she
10 suggested we get going on those and that eventually we will get the Creekside trail done. She said the
11 last plan sat shelved for more than a decade, and asked the Council to please get things going.

12 Garth Oborn, (987 East Millstream Way) told the Council that he is "dead serious" when he
13 says he is profoundly against the Creekside Trail being created. He said he has tried to be open-
14 minded about it but feels it should remain private land. He looked a long time and worked very hard
15 to find his "perfect" home, and he has spent a lot of time in the canyon and enjoys the beauty and
16 solitude and privacy there. He feels it is his right to keep it private.

17 Charles Livsey (Monarch Drive) said he supports private property rights wholeheartedly and
18 also loves having access to use trails for trail running and hiking. He feels these two things can
19 coexist. He explained that according to City code the City cannot use eminent domain to acquire
20 private land for trails. He hopes that at some point in time it will come to a place where everyone is
21 okay with it. He loves trails and uses the North Canyon and Mueller Park trails a lot. He has been
22 pushing for this plan for a long time and is ready to say that if the TMP is approved tonight he is
23 willing to put some "money where his mouth is" and write a check for the trails. He feels that we
24 need to be pushing for private donations, and even soliciting the property owners along Mill Creek to
25 help us fund the rest of the plan.

26 Tyler Harvey, (4526 South Spring Meadow Drive) a head coach on the SDMBT, said that as
27 he reviewed the TMP he was disappointed at the lack of additional trails that are being proposed, but
28 other than that he feels it is a great plan and he loves it. As a coach he loves all the great things that
29 come from these kids learning to bike and is a big proponent of having more trails for them to train
30 on. His first priority as a coach though is safety. He feels that Creekside is a great idea, so as long as
31 we find an alternative east-west trail we can throw out Creekside. But he asked them to please find
32 other ways. He also stated that he feels property owners would be pleasantly surprised and their
33 concerns about crime and fire would dissipate immediately if they allowed this trail to happen.

34 "Mr. Mueller Park", said he rides Mueller Park Trail every day and that he doesn't care about
35 Creekside, but that we do need more trails. He pointed out that there aren't any fire pits or vandalism
36 in Mueller Park, and that if you get bikers on this new trail they will be vigilant in making sure their
37 trails are kept nice. He asked that we not let Mueller Park get eroded from overuse and lose its beauty
38 - that would be a shame to let that happen. He said that the bikers would all give their lives to have
39 more trails and that they will give whatever it takes to get these trails made. He said he's very
40 disappointed that nothing happened five or six years ago. He also said he feels that having more trails
41 will benefit the entire City by bringing in more people to ride our trails who will spend their money
42 shopping and eating at our establishments.

43 Greg Maughan, (1030 East Millbrook Way) said that he doesn't feel we should put our
44 parental responsibilities onto the City Council. Helping our children get off their phones and spend
45 time outdoors is not their responsibility. He feels that this approach is the wrong one to take. He is a
46 courteous homeowner who keeps his property and home looking nice for the neighborhood and for

1 him. Although his kids do not mountain bike, all four of his children love being outdoors and love
2 spending time on their property in the canyon. He doesn't have any issues with having more trails,
3 but he does have an issue with building one that goes through his property.

4 Clint Grover, (1164 East 2050 South) said he loves living in this area and would love to have
5 more trails to take his kids on. He believes that cost effectiveness is a good thing to look at when
6 prioritizing the trail projects which would mean adding more trails higher up rather than lower down
7 the hillside. He agrees that having more trails will bring more revenue into the city's shops as people
8 come here to ride. He thinks the double trail system would be awesome and be a lot safer.

9 Jeremy Holt, (56 West 1200 South) explained that his father-in-law moved to Bountiful 50
10 years ago and spent a lot of time in the foothills and got to know the trails very well. Now he takes
11 Jeremy on hikes he used to go on, but he cannot access many of them anymore because there was not
12 a trails plan made to preserve them. Jeremy asked the Council to expeditiously move this plan, in
13 whatever shape or form it might be in, forward. He said we need access to trails in our City and we
14 need to do it now so we have access to these trails in the future for our kids and our grandkids.

15 Bill Erickson, (912 North 1000 East) said he has been on the mountain biking league for a
16 long time and loves Bountiful and the feel of the community here. He feels that we need more trails
17 down in the City that will give us more access to the mountain. He said he highly respects everyone
18 and their comments tonight, and respects the landowners and their rights and fears. He asked them "if
19 not in your backyard, then whose?" He asked them if they moved here to be in a bubble or if they live
20 here to be a part of this great community.

21
22 The Public Hearing was closed at 9:19 p.m.

23
24 The Mayor asked the Councilmembers for their thoughts about the TMP.

25 Councilman Higginson spoke about growing up in Wallsburg and fishing on the Provo River
26 on his neighbor's private property. He said that all of those landowners in that area swore they would
27 never give public access to that river, but that today it is all publicly accessible. He said simply that as
28 much as we hate change we are mortal and things will change more quickly than we expect. He said
29 that most likely it will be their kids or grandkids that grant access for the trail. He said he understands
30 their outrage and their determination, but he wants them to think realistically about how the attitudes
31 of society will shift. He said, however, that was not an indication of how he will vote, and he feels
32 there is more discussion to be had on the matter. He added that he feels the plan should have been
33 made available for people to look over. Perhaps we should give people more time to look at it and
34 ruminate on it.

35 Councilwoman Harris said she likes the idea of people having a chance to look at the plan.
36 She thanked the trails committee for their hard work on the TMP. She said that as she spoke with a
37 trail manager in another city who said that almost everyone who was at first opposed to a trail in their
38 area are now huge proponents of it. Their property values have gone up and they do not have
39 problems with vandalism or trespassing. The people who are using the trails help police them and
40 keep them nice. She said she hopes we can increase communication about the trails and have the
41 residents review the plan.

42 Councilman Simonsen said he can understand the property owners' point of view. His
43 grandfather had land taken from him by the federal government where the railroads met and it
44 bothered their family. He lives on Barton Creek now and all the neighbors love the privacy and enjoy
45 it very much. Last week someone stole 10 of his chickens from his backyard. His grandkids ride on
46 the mountain bike team and begged him to vote in favor of trails so that they can have more trails to

1 ride on. He said he cannot ignore the importance of having more trails but he also can't deny the
2 individual rights of the property owners. Right now he feels that we need to move forward with our
3 trails, but not with the Creekside or Barton Creek Trails.

4 Councilwoman Bradshaw said she is an avid mountain biker and even filmed a Facebook
5 video about it because she loves it so much. She is a big supporter of the trails plan and was excited
6 to learn about it when she first joined the Council. She said it is unfortunate that we have made it
7 difficult to know about the TMP. She really likes having these meetings and getting feedback from
8 residents. She admitted that the Council has benefitted greatly from the wise decisions of those who
9 have served before them and have been forward thinking. She said she does not want to throw away
10 the forward thinking that has created this trails plan and wishes it had in existence she was a kid. She
11 said she would be willing to take Creekside out of the plan in order to move forward, but there is
12 something to be said for the need for that trail.

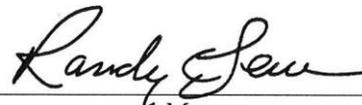
13 The Mayor suggested putting off a vote and making the TMP available for residents to look at
14 and suggested that it be added to the next meeting agenda and Councilman Knight would be able to
15 vote on it as well.

16 Councilwoman Harris made a motion to table the Trails Master Plan to the November 12th
17 City Council meeting. Councilwoman Bradshaw asked that that we hold another public hearing at
18 that time as well. The motion was amended to include that and Councilman Higginson seconded the
19 motion which passed with Councilmembers Bradshaw, Harris, Higginson and Simonsen voting "aye"
20

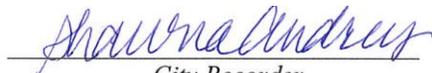
21 **Adjourn**

22 Councilwoman Bradshaw made a motion to adjourn and Councilman Higginson seconded the
23 motion. The motion passed with councilmembers Bradshaw, Harris, Higginson and Simonsen voting
24 "aye".
25

26 The regular session of City Council was adjourned at 9:38 pm.



Mayor



City Recorder