

Minutes of the
BOUNTIFUL CITY COUNCIL
March 14, 2023 – 6:00 p.m.

Official notice of the City Council Meeting was given by posting an agenda at City Hall and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Journal and Standard Examiner.

Work Session – 6:00 p.m.
City Council Chambers

Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
	Planning Commissioners	Lynn Jacobs, Alan Bott, Krissy Gilmore, Sean Monson, Sharon K. Spratley, Jim Clark
	City Manager	Gary Hill
	City Engineer	Lloyd Cheney
	City Attorney	Clinton Drake
	Planning Director	Francisco Astorga
	Assistant Planner	Nicholas Lopez
	Recording Secretary	Maranda Hilton

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

JOINT CITY COUNCIL/PLANNING COMMISSION – MR. FRANCISCO ASTORGA

Mr. Francisco Astorga made an announcement to clarify that a zone change was not on the agenda that evening, in case any residents were expecting a zone change hearing.

Mr. Astorga explained that this meeting would be to go over the work that has been done by the steering committee and the Planning Commission to date and to discuss what the next steps will be for the General Plan update. He turned the time over to Ms. Megan Moore and Mr. Joe Moss of Logan Simpson Design.

Ms. Moore gave an overview of the public outreach process and the feedback they have received and said that they will now focus on land use categories and defining different districts within the City. There is an idea map online that people can place markers on, there is another online survey right now, and there are three more public outreach meetings scheduled for the near future. All of that feedback will be funneled to the Steering Committee and then to the Planning Commission and City Council for review. She explained that in May or June she expects the document to be ready for approval by the Council.

Mr. Sam Bawden, a member of the Steering Committee, reported on the committee’s recent activity. He explained that they have met five times to review input from the public and have had really wonderful conversations about the future of Bountiful with many different perspectives being represented.

Ms. Moore then continued, reviewing the vision statement and guiding principles, and

1 explained that each guiding principle will be pulled into the plan. She reported that the main findings
2 from public outreach show that residents are most interested in bike lanes, a wider range of housing,
3 better public transportation, pedestrian walkability and a vibrant downtown.

4 Mr. Moss explained that they have been working with the Steering Committee to identify
5 places where land use needs to be addressed. He explained that the current Future Land Use Map
6 gives no direction regarding townhomes or single-family homes, as it is solely focused on non-
7 residential uses. It is also very outdated; many changes have occurred in Bountiful since it was
8 created in 2009. He explained that their main goal is to help future decision-makers have the direction
9 they need. To help with that, they identified different districts within the City and looked at the
10 defining characteristics of each district. He said that knowing the reason for the existence of a certain
11 district will help decision-makers stay in-line with the vision for that district.

12 The City Council and Planning Commission asked questions about the placement of and
13 divisions between the districts. They specifically asked about the vision for Orchard Drive. Mr. Moss
14 explained that the Committee looks at Orchard Drive as the “spine” of the South District and wants to
15 make Orchard Drive the focal point. He explained that the final plan could include what the City
16 wants Orchard to become and whether there should be more housing or corner stores, etc. He said
17 that many residents would like to see bike lanes added and he felt it could be made much more
18 walkable with the addition of streetscapes, shops and townhomes. Many members of the Council and
19 Planning Commission said they liked that vision and would love to see Orchard Drive made safer and
20 more walkable and bikeable. Councilmember Bradshaw said she felt there was a case for splitting
21 Orchard Drive North/South because the land use changes significantly as you move closer to Hwy-89
22 and away from Mill Creek. Councilmember Higginson said he felt it could potentially be divided
23 East/West.

24 Councilmember Bell said he would like to see a study on how much commercial business can
25 actually be supported in Bountiful. Ms. Moore said they could figure that out from a leakage study
26 and get it to the Council in the next workshop.

27 Ms. Gilmore said she would like to see a write up for Main Street, and also for 200 West and
28 500 South. She feels they are all very important sites. Mr. Moss said they would do that.

29 Mr. Bott asked if they could name the districts distinct names instead of North, South etc. Mr.
30 Moss said they would love to have the districts named. Other members of the Planning Committee
31 and Council liked that idea too.

32 Mr. Jacobs said he loved the idea of neighborhood centers and asked if Mr. Moss had ideas on
33 where to place small-scale retail like that. Mr. Moss said that they are developing an “Areas of
34 Change” map of places that could be redeveloped in the near future based on the age of the structures.
35 This map will help with those decisions.

36 Councilmember Bell said that starting with the end in mind can be very helpful and suggested
37 his fellow committee and council members find pictures of things they would like to see in Bountiful
38 City and submit them and share them with one another. Mr. Moss said that they could use those
39 photos in conjunction with the online map.

40 Ms. Gilmore added that she hopes the central district will include a vision for historic
41 preservation.

42 Mayor Harris thanked Ms. Moore and Mr. Moss for their work and their presentation and
43 expressed her excitement for the General Plan update. Mr. Astorga thanked members of the public for
44 coming to the meeting and encouraged them to continue to be engaged in the process.

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46 The meeting ended at 6:56 p.m.

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Regular Meeting – 7:00 p.m.
City Council Chambers

Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
	City Manager	Gary Hill
	Assistant City Manager	Galen Rasmussen
	City Engineer	Lloyd Cheney
	City Attorney	Clinton Drake
	Planning Director	Francisco Astorga
	Finance Director	Tyson Beck
	IT Director	Alan West
	Streets Director	Charles Benson
	Recording Secretary	Maranda Hilton

WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER

Mayor Harris called the meeting to order at 7:09 p.m. and welcomed those in attendance. Ms. Desiree Barth led the Pledge of Allegiance and Ms. Lisa A. Adair, Orchard Stake Primary President, offered a prayer.

PUBLIC COMMENT

The public comment section was opened at 7:12 p.m.

Mr. Gary Davis (2814 South 500 West) approached the dais to fix a mistake with the placement of the nameplates.

The public comment section was closed at 7:13 p.m.

CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETING HELD JANUARY 12 & 13, AND FEBRUARY 28, 2023

Councilmember Bradshaw made a motion to approve the minutes with the following changes: to the February 28, 2023 minutes she proposed that a phrase on page 5, line 5 be changed from “in support of” to “concerning”, and that lines 41-42 on page 9 be changed from “North Canyon Trailhead” to “Hidden Lakes Trailhead”. Councilmember Higginson seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

COUNCIL REPORTS

Councilmember Bahr did not have a report.

1 Councilmember Price-Huish reported that the BDAC will be hosting the high school art
2 competition starting next week and congratulated the BDAC on the success of their art auction last
3 weekend.

4 Councilmember Bell reported that the Bountiful Food Pantry is still in need of food and
5 announced that there will be a food drive held on Saturday. He also reported that the Bountiful
6 Veterans Foundation will hold a Memorial Day service at Veterans Park on Memorial Day this year.
7 He also announced that the BCYC is accepting applications for next year, and applications are due by
8 April 1st (for leadership) and April 15th for others. The BCYC will also be hosting the annual Bunny
9 Hop activity the Saturday before Easter at Town Square from 9:00 -10:00 a.m.

10 Councilmember Bradshaw reported that the SDRD board has a vacancy and encouraged
11 anyone who lives within the district and who uses or has an interest in the facilities to apply. The
12 applications are due to the County Commissioners by April 3rd. She said that budget discussions are
13 still ongoing.

14 Councilmember Higginson did not have a report.

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16 **BCYC REPORT**

17 No report was given.

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19 **CONSIDER APPROVAL OF:**

20 **A. EXPENDITURES GREATER THAN \$1,000 PAID FEBRUARY 20 & 27, 2023**

21 **B. JANUARY 2023 FINANCIAL REPORT**

22 Councilmember Bradshaw made a motion to approve the expenditures paid February
23 20 & 27, 2023, and the January 2023 financial report. Councilmember Price-Huish seconded
24 the motion, which passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-
25 Huish voting “aye.”

26
27 **RECOGNITION OF LORNA HARTVIGSEN – 33 YEARS OF SERVICE**

28 Mr. Tyson Beck recognized Ms. Lorna Hartvigsen for her 36-year career at Bountiful City.
29 He said that she began working part-time for the Bountiful Recreation Department in 1987. Since that
30 time, she moved to full-time and worked as a Utility Billing clerk, a cashier, a Deputy Treasurer, an
31 Accounts Payable processor and a Customer Service representative. Mr. Beck expressed his
32 appreciation for her years of service and her commitment to making sure everything ran smoothly.
33 Mr. Beck read remarks from her coworkers who commented on her ability to make everyday fun and
34 her commitment to the work.

35 Ms. Hartvigsen thanked everyone and recognized her husband, Paul, who worked for the City
36 for 35 years. She said that Paul and she worked together, played together and raised their family
37 together for 43 years.

38 Mayor Harris and Mr. Gary Hill presented Lorna with flowers and Paul with chocolates.
39 Mayor Harris thanked Ms. Hartvigsen for her years of dedication and said she would be missed.

40
41 **RECOGNITION OF JIM WOOD – 42 YEARS OF SERVICE**

42 Mr. Charles Benson recognized Mr. Jim Wood for being a “fixture at the landfill for 42
43 years.” He said that Jim kept everyone on their toes by being a joker, but also talked about the great
44 job he has done for the City. Mr. Benson said that Mr. Wood helped keep the landfill in compliance
45 and has been a great asset there.

1 Mr. Wood expressed his love for Bountiful and his gratitude for his job and the wonderful
2 people he has worked with. He thanked everyone for the recognition.

3 Mayor Harris presented Mr. Wood with a check and thanked him.
4

5 **RECOGNITION OF ALAN WEST – 33 YEARS OF SERVICE**

6 Mr. Gary Hill recognized Mr. Alan West for his 33 years of service. He expressed his
7 appreciation for Mr. West overseeing the bulk of the technological changes that have happened over
8 the last 33 years. He said that Mr. West has stayed at the top of his game and Bountiful City has
9 benefited from it.

10 Mr. Galen Rasmussen also expressed his appreciation for Mr. West whom he said is a good
11 friend after working together for 30 years. He talked about Alan’s oversight of many large projects
12 that have been impactful for the City.

13 Mr. Hill also recognized Mr. West’s wife, Julene, and shared his appreciation for the caring
14 people they are. He also said he appreciated Mr. West’s great taste in music and was thankful for
15 their association over the years.

16 Mr. West told about how he got a job in the IT Department, thanks to his wife’s insistence
17 that he call, and about all the transition that has taken place during his time here. He said how grateful
18 he is to know that the City is in good hands with the current IT staff. He expressed his appreciation
19 for his wife and his children for their ability to manage while he was working late nights and
20 weekends. He also thanked the many good people he formed friendships with over the years.

21 Mayor Harris thanked Mr. West and the other retirees, saying a city is only as good as the
22 people who work there and that it is hard to say goodbye to such good people.
23

24 **FIBER OPTIC PROJECT BOND OPTIONS DISCUSSION – MR. GALEN RASMUSSEN**
25 **AND MR. JASON BURNINGHAM**

26 Mr. Galen Rasmussen explained that the fiber optic project is moving along and the Council
27 will need to decide about the funding of the construction for the project. He reviewed the three
28 options laid out in the staff report: 1. A subscriber-based revenue bond; 2. A subscriber-based bond
29 backed with sales tax revenues; or 3. A straight sales-tax revenue bond. He explained that Bountiful
30 does not often issue debt, but when it is necessary to do so, staff wants it to be the highest quality
31 debt-rating. He added that if the Council decides to choose option two or three, it could be written
32 into the bond covenant that it would only be paid with subscriber revenues.

33 Mr. Jason Burningham, of Lewis, Young, Robertson & Burningham, Inc., explained that his
34 firm has been involved in bonds for fiber projects for the past 20 years and they were asked to
35 explore ways the City could approach owning their own fiber network. He said that general
36 obligation bonds, revenue bonds and lease-revenue bonds are the three primary types of funding. He
37 said for tonight’s comparison between the options they will assume a \$45M cost and that construction
38 will begin mid-July and shared a table showing both 25- and 30-year amortizations.

39 Concerning option one, Mr. Burningham explained that there have been very few revenue-
40 backed bonds issued for fiber projects, because it is very difficult to convince investors of the
41 stability of the market.

42 Options two and three would have significantly lower interest rates.

43 Mr. Burningham talked about other considerations the Council might want to discuss, such as
44 how each option might impact overall cost, risk taken on by the City, the ability to fund future
45 projects, and maintaining a good debt coverage ratio.

1 Councilmembers asked Mr. Burningham about other cities who have taken out bonds for a
2 fiber network and what they chose and how they fared. Mr. Burningham gave examples of some of
3 the cities he had worked with and noted that they all had had success with take rates and being able to
4 use system revenues to make bond payments. There were two exceptions, cities not factoring in
5 enough capital funds to pay the first interest payment before subscription revenues could be
6 generated. Those cities had to use city funds and then paid themselves back. Mr. Burningham
7 explained that Bountiful could calculate that into the bond amount to avoid that problem.

8 Councilmember Bell expressed his concern that those cities had a much lower minimum take
9 rate than Bountiful needs to be successful. Mr. Gary Hill explained that the take rate shown on the
10 projections is a residential-only “worst-case-scenario” generated by UTOPIA that does not include
11 any commercial subscriptions, and typically commercial subscriptions make a big difference. Mr.
12 Burningham agreed, saying the take rate does not concern him and that most cities easily hit 50-60%
13 take rates when commercial is included.

14 Councilmember Bell asked about how refinancing the bond would work. Mr. Burningham
15 explained that bonds generally have a 10-year call and can be refinanced at that point, and at any
16 point thereafter.

17 Councilmember Bell said he would like to see more modeling done with how different take
18 rates might affect the general fund balance, but overall, he is favor of having a fiber network and that
19 if the City decides to move forward, he is favor of the bond option that is the lowest cost to the City.
20 However, he added that a revenue bond would require a level of due diligence to look at revenues and
21 expenditures and that he believes there is value in doing that exercise.

22 Councilmember Higginson said he is comfortable with leveraging a City asset to make the
23 system more able to pay its own way. He feels that choosing option one would cripple the project.

24 Councilmember Price-Huish agreed with Councilmember Bell, saying that she would like to
25 have more data about projected commercial take rates, otherwise it seems risky. Mr. Burningham said
26 he thought he could get them that data.

27 Councilmember Bradshaw said she was grateful for the information and felt the Council
28 should continue to think about this and to hear from UTOPIA about the marketing plan. She
29 expressed her desire to make the best decision with taxpayer dollars.

30 Councilmember Higginson made a final request of Mr. Burningham asking him for a
31 sensitivity report. Mr. Burningham said he would do that.

32
33 **CONSIDER APPROVAL OF RESOLUTION 2023-04 ESTABLISHING A CONTRACT**
34 **WITH THE DAVIS COUNTY CLERK/AUDITOR’S OFFICE FOR 2023 ELECTION**
35 **FUNCTIONS – MR. GARY HILL**

36 Councilmember Higginson made a motion to approve Resolution 2023-04 and
37 Councilmember Bahr seconded the motion. The motion passed with Councilmembers Bahr, Bell,
38 Bradshaw, Higginson and Price-Huish voting “aye.”

39
40 **CONVENE IN A CLOSED MEETING TO DISCUSS THE ACQUISITION OR SALE OF**
41 **REAL PROPERTY, PENDING LITIGATION AND/OR TO DISCUSS THE CHARACTER**
42 **AND/OR COMPETENCY IF AN INDIVIDUAL(S) (UTAH CODE §52-4-205)**

43 Councilmember Bradshaw made a motion to convene in a closed meeting to discuss the
44 acquisition or sale of real property, pending litigation and/or to discuss the character and/or
45 competency of an individual(s). Councilmember Higginson seconded the motion. The motion passed
46 with the following roll call vote:

- 1 Councilmember Bell Aye
- 2 Councilmember Price-Huish Aye
- 3 Councilmember Bradshaw Aye
- 4 Councilmember Higginson Nay
- 5 Councilmember Bahr Aye

6
7 The regular session was stopped at 9:29 p.m.

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9 The closed session began at 9:39 p.m.

10 Those in attendance:

11 Mayor Harris; Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish; Mr. Gary
12 Hill, Mr. Clint Drake and Mr. Francisco Astorga.

13
14 **ADJOURN**

15 Councilmember Bell made a motion to return to and adjourn the regular session and
16 Councilmember Higginson seconded the motion. The motion passed with Councilmembers Bahr,
17 Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

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19 The regular session was adjourned at 10:38 p.m.

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Kendalyn Harris, Mayor


City Recorder