

Minutes of the
BOUNTIFUL CITY COUNCIL

May 24, 2022 – 5:00 p.m.

Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
	City Manager	Gary Hill
	Asst. City Manager	Galen Rasmussen
	City Attorney	Clinton Drake
	City Engineer	Lloyd Cheney
	Planning Director	Francisco Astorga
	I.T. Director	Alan West
	Systems Analyst	Greg Martin
	Computer Technician	Sheldon Hunt
	Finance Director	Tyson Beck
	Power Director	Allen Johnson
	Electrical Engineer	Luke Veigel
	Water Director	Kraig Christensen
	Streets Director	Charles Benson
	SDMFD Chief	Dane Stone
	Recording Secretary	Maranda Hilton

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

Work Session – 5:00 p.m.
City Council Chambers

Mayor Harris called the meeting to order at 5:00 p.m. and welcomed those in attendance.

MAGELLAN FIBER PRESENTATION – MR. ALAN WEST

Mr. West gave a short synopsis of the events that have led up to this presentation, and explained that Mr. John Honker, Magellan Advisors, was unable to attend in person due to illness. He turned the time over to Mr. Honker via Zoom to present the results of the Bountiful Fiber feasibility study.

Mr. Honker presented the results of the study and explained that the seminal question they were trying to answer was whether Bountiful could own the broadband network, and to determine the feasibility of doing so in this market. They tried to discover if it would be financially feasible, if rates would be lower for subscribers, if service would be superior, and look at any other ways the City might benefit from ownership of the network. He explained that after evaluating all the variables to the best of their ability, they found that it is feasible for Bountiful to own the network, and their estimated cost of building it is \$56.7M which includes a 15% contingency fund. He said a City-owned network could provide internet to 100% of residents and businesses, would allow for a lower

1 rate than a provider-owned network, would cover all the debt service costs of the project and would
2 provide long-term benefits to the City for use in other capabilities. This result assumes that the City
3 has a 43% take rate and gets a 30-year bond with a 5% interest rate. He explained that they
4 considered the key risk factors of interest rates and customer take-rates and still found it would be
5 feasible. He further explained that due to the somewhat restrictive laws in Utah, having the City
6 operate the network is not advisable. Magellan is recommending that if the City wants to own the
7 network, they partner with an operator to run it for them.

8 Mr. Honker said that the next step, if the City would like to move down the path of
9 ownership, is to have the engineering design created. After the design is finalized, the City will have
10 a much better idea of actual costs and can then proceed to building the network in a way that will
11 make it successful. Mr. Gary Hill explained that there are many “levers the City can pull” to save
12 money on the project; the use of aerial lines or micro-trenching in places where underground boring
13 is very expensive, negotiating with internet service providers (ISPs) who want to use the network, the
14 terms of the bond, the use of ARPA funds to help pay down the initial cost, etc. Mr. Honker added
15 that many cities find they can start to use revenue streams coming from the first phase of the network
16 to help pay for the cost of building the final phases and do not have to borrow the full amount. He
17 also explained the City may find community partners like schools and libraries to help fund the
18 project, like Hillsboro, Oregon did. Because it saves their school district \$1M each year to be on the
19 city-owned network, they were willing to help finance it.

20 The Councilmembers asked questions about the benefits of a City-owned network regarding
21 smart city capabilities. Mr. Honker explained that the City would stand to save a lot of money since
22 private fiber gets very expensive very quickly. After the system is built the City would own it and not
23 pay a monthly service cost to use any new capabilities.

24 Councilmember Higginson said many people have expressed the desire for 10 gigabits of
25 speed and asked if that was possible. Mr. Honker explained that it was possible, but that if the City
26 wanted to provide that to every home it would require a higher equipment cost initially compared to
27 providing the normal range of one to five gigabits.

28 Many Councilmembers had questions about determining the best ratio between boring, micro-
29 trenching and use of aerial lines for the project. Mr. Honker and Mr. Hill both said that there is no
30 way to know that until the process of designing the system is completed and there is a better
31 understanding of exactly where micro-trenching and aerial lines would be best utilized. Mr. Honker
32 explained that after about 60% of the design process is complete, the City could then release a
33 construction RFP, which takes about three months, and after that the City can begin building. He said
34 that if the Council decides soon, the first customers could be connected to the network in Quarter 3 of
35 next year.

36 Councilmember Bahr asked questions about the bond that would be issued. Councilmember
37 Higginson answered that the bond would be a revenue bond and not a general obligation bond. This
38 is so the bond is paid off by the subscribers to the network and not from raising taxes.

39 There was a discussion, which included Mr. Allen Johnson, about the possibility of using
40 existing power poles for the aerial fiber lines. Mr. Johnson explained that the power poles are not tall
41 enough to meet the requirement for having three utilities on them. They would need to replace poles,
42 which they are doing anyway, but this might present the opportunity to dramatically speed up their
43 replacement program. However, the cost of replacing poles is high.

44 Councilmember Bradshaw asked about UTOPIA’s interest in incorporating aerial lines into
45 their plan. Mr. Hill answered that UTOPIA would have preferred to use City poles from the
46 beginning but have never indicated that they would pay for the cost of the new poles, so determined it
47 would be cost prohibitive for the City.

1 Councilmember Price-Huish asked if staff had updated figures from UTOPIA, and Mr. West
2 said he did and had planned on presenting them at this meeting but did not have the chance.

3 Mayor Harris announced that they were out of time for this meeting and the conversation was
4 scheduled to continue at the end of the regular session.

5
6 The meeting ended at 6:58 p.m.
7
8

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

11
12 **WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER**

13 Mayor Harris called the meeting to order at 7:06 p.m. and welcomed those in attendance. Mr.
14 Gary Johnson led the Pledge of Allegiance. Mayor Harris explained that the prayer would be offered
15 by Mr. Rajan Zed when he arrived, he was coming from Arizona and was running late.

16
17 **PUBLIC COMMENT**

18 The public comment section was opened at 7:07 p.m.
19

20 Mr. James Keddington (3201 South 75 East) encouraged the Council to donate the land for a
21 new 50-meter pool at the rec center. He feels the demands on the existing pool have been excessive
22 for many years and that Bountiful residents wholeheartedly want this. He asked the Council to voice
23 their support for the project.
24

25 Ms. Rachel Coleman (1400 South) lauded the City’s beautiful public spaces but explained
26 that the City needs to improve their pedestrian and bicycle safety. She said that her family walked to
27 the new Washington park many times from different neighborhoods, and they found that every route
28 was very dangerous. She would like to see residents and public officials engaged in the improvement
29 of connectivity in our City so that these public spaces can bring people together.
30

31 Mayor Harris shared an email from Brian and Mary King who asked that the firework
32 restriction line be moved down to Orchard Drive due to the drought conditions and encouraged
33 residents to enjoy public firework shows this year instead of hosting private ones.
34

35 The public comment section was closed at 7:13 p.m.
36

37 Mr. Rajan Zed, President of the Universal Society of Hinduism, offered a prayer.
38

39 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD ON MAY 4 &**
40 **12, 2022**

41 Councilmember Bahr made a motion to approve the minutes of the previous meetings held
42 May 4 & 10, 2022 and Councilmember Higginson seconded the motion, which passed with
43 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
44

45 **COUNCIL REPORTS**

46 Councilmember Bradshaw gave a detailed report about the proposed South Davis Rec center
47 expansion project and how the pool expansion would affect Bountiful park if approved.

1 Councilmember Higginson did not have a report.

2 Councilmember Bahr did not have a report.

3 Councilmember Price-Huish encouraged residents to attend the events hosted by the BDAC.
4 Musicfest will have concerts on July 14 and October 13. Summerfest will take place every Monday in
5 June from 6:30-9:00 p.m. at Towne Square.

6 Mayor Harris reported that the South Davis Sewer District is now accepting credit card
7 payments and they just signed an interlocal agreement with Centerville’s redevelopment agency for a
8 powersports mall along the Centerville frontage road. The South Davis Metro Fire District is not
9 planning on a property tax increase this year, but they will increase their member city assessment by
10 about 7%. They also have three new graduates who will become firefighters.

11 Councilmember Bell reminded residents about the Concerts in the Park and announced there
12 will be a Memorial Day program at the Veterans Park at 11:00 a.m.

13
14 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID MAY 2 & 9,**
15 **2022**

16 Councilmember Higginson made a motion to approve the expenditures paid May 2 & 9, 2022
17 and Councilmember Bell seconded the motion. The motion was approved with Councilmembers
18 Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

19
20 **RECOGNITION OF MR. MILO PASKETT – MAYOR HARRIS**

21 Mayor Harris thanked Mr. Milo Paskett, a long-time member of the Bountiful Community
22 Service Council (BCSC), for his service.

23 Mr. Brian Potts, chair of the BCSC, told of Mr. Paskett’s 16 years of volunteer service and
24 how grateful he is for Mr. Paskett’s help in growing the BCSC to what it is now. He said Mr. Paskett
25 would be very missed.

26 Mr. Paskett said what a great thing it has been to associate with all the people on the BCSC,
27 and how grateful he was for the opportunities he had to serve.

28 Councilmember Higginson added his gratitude for Mr. Paskett’s service and shared how
29 awesome it was for him to be involved with a good organization and to rub shoulders with good
30 people like Mr. Paskett.

31 Mayor Harris thanked him again for his service and gave him a certificate of appreciation.
32

33 **CONSIDER APPROVAL OF ORDINANCE 2022-04 ADOPTING A TRANSIENT ROOM**
34 **TAX OF 1.0% ON SHORT TERM RENTALS OF LESS THAN 30 CONSECUTIVE DAYS –**
35 **MR. GALEN RASMUSSEN**

36 Mr. Galen Rasmussen explained that tonight they will be deciding whether to adopt a 1%
37 Transient Room Tax. State law allows for a tax on all accommodations of 30 consecutive days or
38 less. The Council will vote on it after the public hearing is held tonight, and then the State can begin
39 collecting the tax.

40 **A. PUBLIC HEARING**

41 The public hearing was opened at 7:58 p.m.

42
43 No comments were made.

44
45 The public hearing was closed at 7:59 p.m.

46 **B. ACTION**

1 Councilmember Higginson made a motion to adopt Ordinance 2022-04 enacting a 1%
2 transient room tax and Councilmember Bahr seconded the motion. The motion was approved with
3 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
4

5 **CONSIDER APPROVAL OF THE SUPER PARAMETERS RESOLUTION 2022-07 TO**
6 **FACILITATE THE NEXT STEPS IN THE GENERAL OBLIGATION BOND ISSUANCE**
7 **PROCESS – MR GALEN RASMUSSEN**

8 Mr. Galen Rasmussen explained that voters approved an \$8M general obligation bond for
9 Washington Park and the trails system in November 2020, and now the City is ready for the issuance
10 of the bond. He explained that staff has been working with professionals to reach this point and the
11 next step is to approve a super-parameters resolution which delegates authority to certain individuals
12 to facilitate the process and sets upper and lower limits for the bond amount and the interest rates. He
13 added that a pro forma debt service calculation and a property tax impact analysis were completed,
14 and in speaking with their advisors, the timing of this bond is looking favorable over the past few
15 days. He explained that this resolution authorizes the issuance of the bond and designates Mr. Gary
16 Hill as the officer who can reject or approve bids, the maturity amount, rates and other specifications.

17 Councilmember Price-Huish asked when the bond will be issued if this resolution is approved
18 tonight. Mr. Rasmussen answered that it would be issued June 28th.

19 Councilmember Price-Huish asked about the property tax impacts to residents. Mr.
20 Rasmussen answered that the monthly impact for businesses is \$3.20 per \$100,000 in tax value, and
21 \$1.17 per \$100,000 in value for homeowners. This is very close to what the original projections were
22 when residents voted on the bond. Councilmember Price-Huish expressed her relief that it did not
23 increase significantly despite the recent increase in interest rates.

24 Councilmember Bell asked for details about the bond paying agent, the registrar, and the
25 terms of payment. He also asked if any early payment penalties were in place. Mr. Brandon Johnson,
26 of Farnsworth Johnson (the appointed Bond Counsel for this transaction), came forward and
27 answered that typically on a bond like this, there is a ten-year no call/no early redemption period.
28 After that is over the City could pay if off early or refinance with no penalty. However, none of that
29 will be decided until the bond is issued, and it could be different, but that is typically how they are
30 structured.

31 Councilmember Bradshaw made a motion to approve Resolution 2022-07 facilitating the
32 bond issuance and Councilmember Price-Huish seconded the motion. The motion was approved with
33 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
34

35 **CONSIDER APPROVAL OF THE FINAL ARCHITECTURAL AND SITE PLAN REVIEW**
36 **OF THE PROPOSED EXPANSION AT ST. OLAF’S SCHOOL LOCATED AT 1793 SOUTH**
37 **ORCHARD DRIVE – MR. FRANCISCO ASTORGA**

38 Mr. Francisco Astorga presented the plan to expand St. Olaf’s school located at 1793 South
39 Orchard Drive. He explained that the Council saw this in August 2019, but the applicant was unable
40 to submit for a specific building permit for the addition within the one-year time frame. He said that
41 most of the public improvements have already been taken care of, and now they are ready to get
42 going on the building itself.

43 Councilmember Higginson made a motion to approve the final architectural and site plan
44 review and Councilmember Bahr seconded the motion. The motion was approved with
45 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
46

1 **CONSIDER APPROVAL OF ORDINANCE 2022-05 PROHIBITING THE DISCHARGE OF**
2 **FIREWORKS EAST OF 400 EAST AND ORCHARD DRIVE – MR. CLINTON DRAKE**

3 Mr. Clinton Drake presented Ordinance 2022-05 which sets the firework restriction
4 boundaries for the rest of the year. He explained that after evaluating the historical and present fire
5 dangers in the City, the Fire Chief makes his recommendation. This year he is proposing the same
6 boundaries as last year.

7 Councilmember Bradshaw pointed out that the resolution expires on January 1, 2023 and
8 asked if the City could amend that to an earlier date, so residents could do fireworks for New Years’
9 Eve. Chief Stone said he had no concerns about residents lighting fireworks at that time of the year.

10 Councilmember Bradshaw asked about the legality of banning fireworks throughout the entire
11 City. Chief Stone answered that cities do not have that authority. Mr. Drake concurred that they must
12 base it on historical and existing hazardous environmental conditions, and the draws that come out of
13 the canyons end at Orchard, which is where the risk is basically eliminated. He also reminded the
14 Council that last year they provided the City Hall parking lot for residents to come do fireworks in
15 and would do that again this year.

16 Councilmember Price-Huish asked if they could allow fireworks on Christmas Eve also, since
17 it holds cultural significance for many groups. Chief Stone said that state law does not allow them on
18 that date. The four allowed dates are July 4 and 24, Chinese New Year, and New Years’ Eve.

19 Councilmember Bradshaw made a motion to approve Ordinance 2022-05 and amend the
20 expiration date to December 30, 2022 and Councilmember Bell seconded the motion. The motion
21 was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
22

23 **CONSIDER APPROVAL OF ADVANTAGE RELINE FOR MAIN LINE PIPE RELINE IN**
24 **THE AMOUNT OF \$149,189 – MR. KRAIG CHRISTENSEN**

25 Mr. Kraig Christensen explained that the 10” ductile iron line, which is the sole culinary water
26 line to the Summerwood area, has begun to deteriorate and is causing main line breaks in that area.
27 He explained that rather than putting in more pipe, one stick at time, they would like to use the same
28 pipe and install a liner into it. The process is much less disruptive and takes less time than replacing
29 the pipe. They only need to cut two access pits at either end of the line, and it should only take one to
30 two days to complete.

31 Councilmember Price-Huish asked about the lifespan compared to new pipe. Mr. Christensen
32 answered that both should last about 50 years. He said the liner is made of Kevlar.

33 Councilmember Bell asked if residents will be without water for two days during the process.
34 Mr. Christensen said, no, that the Cumorah reservoir will still service all the homes up there like
35 normal. The only issue is, if demand is high enough, the system would not be able to get water back
36 up to the reservoir.

37 Councilmember Bradshaw asked about the cost comparison between laying pipe and doing a
38 liner. Mr. Christensen said that based on the estimates they received back, new pipe would cost
39 \$139/ft and the liner will cost \$120.46/ft. Mr. Lloyd Cheney added that it also saves on the cost of
40 cutting into the streets and patching those trenches with the liner option, which is a great benefit.

41 Councilmember Bell made a motion to approve the contract with Advantage Reline and
42 Councilmember Bradshaw seconded the motion. The motion was approved with Councilmembers
43 Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
44

45 **CONSIDER APPROVAL OF THE PURCHASE OF THE PAVEMENT PRESERVATION**
46 **SYSTEM HA-5 FROM HOLBROOK ASPHALT AT THE UNIT PRICE OF .264 CENTS PER**
47 **SQUARE FOOT – MR. CHARLES BENSON**

1 Mr. Charles Benson said that his department uses this pavement preservation coating in the
2 lower areas of town that are not as steep. They have been using this product since 2013 with great
3 results, but the price has gone up considerably over the last year unfortunately. The product is only
4 available from Holbrook Asphalt.

5 Councilmember Higginson made a motion to approve the purchase at the unit price listed and
6 Councilmember Price-Huish seconded the motion. The motion was approved with Councilmembers
7 Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
8

9 **CONSIDER APPROVAL OF A CONTRACT WITH M.C. GREEN & SONS FOR STORM**
10 **DRAIN PROJECTS AT THE UNIT PRICES NOTED IN THE BID TABULATION - MR**
11 **LLOYD CHENEY**

12 Mr. Cheney explained that the Engineering Department would like to have storm drains
13 installed on 800 East and 400 South to alleviate flooding issues that happen when there is heavy rain.
14 He explained that while the City prefers to use concrete pipe, there is an issue with the availability of
15 concrete, so they may decide to use alternate materials which would speed up the timeline on this
16 project.

17 Councilmember Price-Huish asked what the alternate materials are. Mr. Cheney answered that
18 they are plastic based products, which have a similar lifespan to concrete, but they need more
19 maintenance and do not have as much intrinsic strength, so the backfilling and compaction must be
20 done very carefully to help them retain their shape. However, it is durable and widely used, so staff
21 will explore that option with the contractors.

22 Councilmember Bradshaw made a motion to approve the contract with M.C. Green & Sons
23 for the storm drain project and Councilmember Bahr seconded the motion. The motion was approved
24 with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
25

26 **GENERAL PLAN PROCESS UPDATE – MR. FRANCISCO ASTORGA**

27 Mr. Astorga gave an update on the General Plan process. He reported that the City received
28 four responses for help to create the plan and have chosen the company Logan Simpson Design. He
29 explained that Logan Simpson was chosen for having the most robust public outreach component,
30 among other things.

31 Mr. Astorga showed the Council the proposal from Logan Simpson and highlighted that the
32 timeline will consist of four phases. Phase 1 (May-July 2022) is Foundation and Research, Phase 2
33 (June 2022-January 2023) is Community Outreach and Engagement, Phase 3 (January-April 2023) is
34 Document Production and Review, and Phase 4 (April-June 2023) is Plan Adoption. He led them
35 through the details of the timeline, the creation of a steering committee, the community outreach
36 components and meetings which will be scheduled for the Planning Commission and the City
37 Council to provide feedback and direction.

38 The Council expressed their desire that the members of the steering committee are all
39 residents of Bountiful, if possible. Councilmember Bradshaw also requested the different
40 geographical regions of Bountiful be represented and Mr. Astorga suggested a member of the
41 Bountiful City Youth Council be on the committee as well. Mr. Astorga and Mr. Hill said they could
42 do that and asked the Council to send them names.

43 Mr. Astorga presented the rest of the proposal and explained the deliverables and the process
44 as it is intended to play out.

45 Councilmembers asked that an additional work session be inserted into the process before the
46 City Council adopts the plan. Staff agreed to arrange a work session between the public hearing at the
47 Planning Commission meeting and the public hearing at the City Council meeting.

1
2 **MAGELLAN FIBER PRESENTATION – MR. ALAN WEST (continued)**

3 Mr. West showed the updated figures from UTOPIA and a comparison chart to the other
4 providers. He echoed the sentiment that there are a lot of variables in this project and options that can
5 help keep costs low. He also explained that Strata felt very strongly that the newer technology of
6 micro-trenching would make it a good cost-saving option.

7 Councilmember Price-Huish pointed out that the cost of replacing all the power poles would
8 counteract the cost savings of using aerial lines. She asked if replacing all the poles at one time would
9 pose a problem when they all began to fail at the same time in the future. Mr. Johnson said that it
10 would mean that 30-45 years from now they would be aging out at the same time and require another
11 big push for replacement.

12 Councilmember Higginson expressed how difficult a decision this is without having more
13 accurate numbers. He asked if there was any way to get a little closer to real numbers. Mr. Hill
14 reiterated the need to decide if the Council is interested in a City-owned network, and then do the
15 engineering to determine the numbers. At that point the Council can decide if they are comfortable
16 moving forward with the next step or not. The Mayor asked if they could ask for a system design
17 without specifying whether the network would be City-owned. Mr. Hill said that could be done but it
18 would cost more.

19 Councilmember Price-Huish liked the Mayor’s idea and expressed her concern about creating
20 a whole new City department and running a fiber network in a competitive market. Mr. West
21 explained that revenue streams would start being generated within six months to one year, and then
22 after two to three years the cash flow would be positive. Mr. Hill explained that Magellan and staff
23 are not recommending the creation of a new City department, but that the City partner with an outside
24 contracted provider to run the network.

25 Councilmember Bradshaw suggested they have another work session to discuss it further. In
26 the meantime, Councilmembers could send their questions to staff to get more information.

27 Councilmember Bell asked about the timeframe if UTOPIA built it or if the City built it. Mr.
28 Hill said the timeframes would be relatively the same.

29
30 **ADJOURN**

31 Councilmember Bradshaw made a motion to adjourn and Councilmember Higginson
32 seconded the motion.

33 Councilmember Bradshaw suggested having further discussion on June 28th at a work session.
34 Councilmember Price-Huish asked for staff to reach out to UTOPIA and get more information about
35 them operating the network. Councilmember Bell asked for staff to get more information about what
36 UTOPIA could offer the City in regard to smart city applications.

37 The motion was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-
38 Huish voting “aye.”

39
40 The regular session was adjourned at 9:59 p.m.


City Recorder


Kendalyn Harris, Mayor