

Minutes of the
BOUNTIFUL CITY COUNCIL
February 22, 2022 – 6:00 p.m.

Present:	Mayor	Kendalyn Harris
	Councilmembers	Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
	City Manager	Gary Hill
	City Attorney	Clinton Drake
	City Engineer	Lloyd Cheney
	Finance Director	Tyson Beck
	Power Director	Allen Johnson
	Water Director	Kraig Christensen
	Police Chief	Ed Biehler
	Recording Secretary	Maranda Hilton
Excused:	Councilmember	Millie Segura Bahr

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

Mayor Harris called the meeting to order at 6:02 p.m. and welcomed those in attendance.

FIBER UPDATE – MR. GARY HILL

Mr. Gary Hill gave an update on the fiber project. He said that Magellan put out the public survey, which will be completed by the beginning of next month and should give staff and the Council an idea about price points and desired services. After the survey results are compiled, Magellan hopes to present their completed study to the Council by the beginning of May. That timeline will give the Council about three months to have conversations about the study, ask more questions and make a decision. Once a decision is made, it will take roughly six months for the engineering, bonding and financing processes to progress. Then the City will need to find a partner and get a contractor on board. He said it is likely that the beginning of next year is when construction on fiber will begin.

Councilmember Bradshaw asked how the study would be presented to them and how the subsequent conversations would take place. Mr. Hill answered that it's still very fluid at this point, but most likely they will have Magellan present the study at a work session, and then as more questions arise, they can be addressed at more work sessions. He added that the Council will have the study available to them before the first work session.

Councilmember Bell asked if it would be smart to have Magellan visit before the study is completed, so the Council could give some direction and share their preferences. Mr. Hill explained

1 that he would ask about that possibility but added that they already hold a conference call with
2 Magellan every two weeks, so it might not be necessary.

3 Councilmember Price-Huish suggested any potential fiber providers be contacted and
4 updated on the project to help expedite the process of comparing costs once the study is completed.
5 She reasoned that they have already gone through the work of becoming acquainted with the City
6 topography, so they would simply need to update their pricing structures. Councilmember Bell agreed
7 that anything that can be done now to save time later would be useful. Mr. Hill said he would reach
8 out to the providers to update them and ask for information.

9 Councilmember Higginson asked Mr. Lloyd Cheney about the impact of the winter
10 moratorium, and if horizontal boring could be done during that season. Mr. Cheney said that
11 technically horizontal boring during the moratorium is not allowed, but they try to be flexible and
12 reasonable so long as the weather cooperates. Councilmember Higginson expressed his desire to get
13 the ball rolling and said he hoped things could work well with the expertise of Mr. Cheney.

14 Mayor Harris reminded residents that all feedback was very welcome as they navigate this
15 decision-making process.

16
17 **LEGISLATIVE UPDATE – MR. GARY HILL**

18 Mr. Hill explained that cities are being painted as “obstructionists” in regard to affordable
19 housing development and presented information from the Kem C. Gardner Policy Institute at the
20 University of Utah that shows otherwise. He added that Bountiful City currently has over 614 multi-
21 family lots and another 100 single-family lots that are entitled and available for a developer to build
22 on. He said that this data shows that the City is not stopping people from developing. If developers
23 could catch up, the housing shortage would quickly be outpaced along the Wasatch Front.

24 Councilmember Bradshaw said that this data could be very impactful if it was shared with
25 Bountiful’s legislators.

26 Councilmember Higginson added that he feels the City has done a great job of striking a
27 balance between the desires of developers and residents in the past, and it would not be pleasant for
28 residents if that control was given away to the State.

29 Mr. Hill reported that a bill was just introduced in Arizona which would allow multi-family
30 units in every zone, in every city, up to eight units per acre, with no height restrictions. He said that
31 the Utah League of Cities and Towns (ULCT) has done a fantastic job of educating our legislators
32 about the issues caused by those types of bills.

33 Mr. Hill also reported on a bill that deals with “station area plans”, which would require cities
34 that have a fixed rail-line station (Frontrunner, Trax, BRT, etc.) to approve a plan within a half mile
35 of that station. It does not prescribe density, it leaves that to the local land use authority, but it names
36 certain principles that should be adhered to. He explained that when our BRT line is approved, the
37 City will need to create a station area plan. But credit will be given for any planning that has been
38 done beforehand, which has been done at the Renaissance site.

39 Mr. Hill then reported on SB34+, which is striving to collect better data as a foundation for
40 the moderate-income housing reporting. He said that all are in favor of it passing, as it will help
41 everyone be data-driven instead of anecdote-driven.

42 Mr. Hill reported on HB416 which would change the ombudsman office from being a
43 mediator between land use authorities and the community, to now reviewing each city’s land use
44 decisions every year to make sure they are in compliance. He said this would turn the ombudsman’s
45 office on its ear and the ULCT has chosen to fight it.

46 Mr. Hill reported on HB151, the retail incentives bill, explaining that it is coming along, and

1 that the City is generally comfortable with it. It will not hinder the way the City’s RDA funds are
2 used, and although it may add a reporting burden, the City has never given retail incentives.

3 Mayor Harris said how amazing it is to see the changes brought about by ULCT and others,
4 and how much she appreciates their work.

5 Councilmember Higginson asked how the “zipper technique” bill is progressing.
6 Councilmember Bradshaw answered that it is flying through legislative process, and she believes the
7 City will need to become well-versed in how to do it properly. She added that the brine shrimp is also
8 very likely to be officially named the state crustacean.

9 Councilmember Bradshaw added that she has worked closely with ULCT throughout this
10 session for her day job, and she wishes more people could realize how lucky local governments are to
11 have them for their advocacy arm. The City depends on their staff, they have done a wonderful job,
12 and she hopes the City can reach out to thank them.

13 Councilmember Higginson agreed and also thanked Councilmember Bradshaw, Mr. Hill and
14 Mayor Harris for the “heavy lifting” they have done.

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16 The meeting ended at 6:55 p.m.
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19 **Regular Meeting – 7:00 p.m.**
20 **City Council Chambers**
21

22 **WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER**

23 Mayor Harris called the meeting to order at 7:03 p.m. and welcomed those in attendance.
24 Three Cadettes from Girl Scout Troop 914, Ms. Maya Mercer, Ms. Nyla Can Langeveld, and Ms.
25 Sophie Pollard, led the Pledge of Allegiance. Ms. Eleanor Tensmeyer, first-grade winner of the Davis
26 School District Martin Luther King Jr. speech competition, presented her speech.
27

28 **PUBLIC COMMENT**

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

30 No comments were made.

31 The public comment section was closed at 7:09 p.m.
32

33 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD ON**
34 **FEBRUARY 8, 2022**

35 Councilmember Higginson made a motion to approve the minutes of the previous meeting
36 held February 8, 2022 and Councilmember Price-Huish seconded the motion, which passed with
37 Councilmembers Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
38

39 **COUNCIL REPORTS**

40 Councilmember Bell did not have a report.

41 Councilmember Bradshaw said that the State legislature is in session until March 4th at
42 midnight and encouraged everyone to make their voices heard.

43 Councilmember Higginson reported on the IPA bills, and thanked Councilmember Bradshaw,
44 Mayor Harris and Mr. Hill for their work on those bills. He said that it now looks as though the IPA
45 will be allowed to repower, which will benefit the City for many years to come. He asked
46 Councilmember Bradshaw to give more details.

1 Councilmember Bradshaw added that they have been able to preserve a path for the
2 repowering to move forward, with the new opening date set for 2025. They were able to reach
3 acceptable compromises on the bills that would have killed the renewal project, and they will be
4 required to do some studies and reports, but ultimately it should guarantee that the project will
5 withstand any future scrutiny.

6 Councilman Higginson also reported that the Power Department has been preparing for the
7 growth of electric vehicles for the past 12-13 years, by replacing transformers with upsized ones. He
8 applauded their foresight on this issue.

9 Councilmember Price-Huish did not have a report.

10 Mayor Harris noted that her parents, Karl and Cozette Keyes, were at the meeting this
11 evening, and it is their 48th anniversary.

12
13 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID JANUARY**
14 **31, FEBRUARY 7 & 10, 2022**

15 Councilmember Bradshaw made a motion to approve the expenditures paid January 31,
16 February 7 & 10, 2022 and Councilmember Higginson seconded the motion. The motion was
17 approved with Councilmembers Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

18
19 **CONSIDER APPROVAL OF THE PURCHASE OF 30 TRANSFORMERS FROM ANIXTER**
20 **IN THE AMOUNT OF \$106,650 – MR. ALLEN JOHNSON**

21 Mr. Allen Johnson explained that they were offered 30 transformers from Anixter after
22 another customer canceled their order. He said that because of the volatility of pricing and supply
23 chain logistics, they decided to jump on this offer to build up their inventory. The transformers will
24 not arrive until November or December, but he feels this purchase will help to get through the current
25 supply chain situation that may cause shortages for another one to two years. He added that they
26 already signed a purchase order for the transformers, so they are asking the Council to approve it
27 retroactively.

28 Councilman Higginson thanked Mr. Johnson and encouraged him to take future opportunities
29 like this if they come along.

30 Councilmember Bradshaw made a motion to approve the purchase of 30 transformers from
31 Anixter in the amount of \$106,650 and Councilmember Bell seconded the motion. The motion was
32 approved with Councilmembers Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

33
34 **CONSIDER APPROVAL OF A CONTRACT WITH NEWMAN CONSTRUCTION FOR**
35 **THE 2022 WATER LINE PROJECT AT THE UNIT PRICES SUBMITTED IN THE**
36 **PROPOSAL – MR. LLOYD CHENEY**

37 Mr. Lloyd Cheney explained that they sent this Water Department capital improvements
38 project out to bid last year but did not receive any responses because the industry was so saturated.
39 So, they bided their time, revised it, and put it out to bid again this year and received five responses.
40 He said he was surprised at how high the unit pricing was from the responses. He presented a
41 comparison chart between pricing from 2020 and pricing for 2022, and many of the items showed a
42 200% increase.

43 Mr. Cheney explained that they have not worked with Newman Construction in the past, so
44 they researched them and have found that they come highly recommended from other municipalities.
45 He also explained that this contract includes a renewal clause, which will allow them to add
46 additional work to the contract, if they can negotiate reasonable prices, without having to rebid it.

1 Councilmember Higginson made a motion to approve the contract with Newman Construction
2 at the unit prices listed in the staff report and Councilmember Bradshaw seconded the motion. The
3 motion passed with Councilmembers Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

4 Councilmember Price-Huish asked how this project would affect other projects that have been
5 pushed back. Mr. Cheney answered that the combination of the drought and current economic
6 conditions will change their approach to water line projects. They will be selling less water, which
7 gives them less revenue for water projects, and they are looking into a rate structure change to help
8 alleviate this problem.

9 Councilmember Bell asked if this has put the City behind on the 40-year maintenance plan.
10 Mr. Cheney said the City is about six months behind. He lauded the Water Department crews for
11 meeting their commitment of annual water line replacements, saying they were very efficient and did
12 a great job. Councilmember Bell asked for clarification about using two years’ worth of budget for
13 this project. Mr. Cheney explained that they will not be able to complete the entire project by the end
14 of June, so they will be able to use funds from the upcoming fiscal year towards this project as well.

15 Councilmember Higginson added that most of the bad areas of water line that were identified
16 a number of years ago have already been replaced, and the City is back to a regular maintenance
17 schedule, which means there will not be big problems if the City “coasts” a little bit. Mr. Cheney
18 added that they will move high priority items forward as needed.

19
20 **CONSIDER APPROVAL OF AMENDMENT NO. 7 TO THE INTERLOCAL**
21 **COOPERATION AGREEMENT FOR ANIMAL CONTROL SERVICES WITH DAVIS**
22 **COUNTY – CHIEF ED BIEHLER**

23 Chief Biehler explained that this interlocal agreement, signed in 2016, established a 50/50
24 split between the cities and the county for costs of animal control, and for the establishment of a
25 capital projects fund over a five-year period. According to Bountiful’s 2021 usage rate of 9.62%, the
26 City owes \$135,265.85 for service calls and \$5,406.44 toward the capital projects fund. The total is
27 an increase from last year’s animal control budget of \$13,960.36.

28 Councilmember Price-Huish made a motion to approve Amendment No. 7 to the Interlocal
29 Cooperation Agreement and Councilmember Bradshaw seconded the motion. The motion was
30 approved with Councilmembers Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

31
32 **ADJOURN**

33 Councilmember Bradshaw made a motion to adjourn, and Councilmember Higginson
34 seconded the motion. The motion was approved with Councilmembers Bell, Bradshaw, Higginson
35 and Price-Huish voting “aye.”

36
37 The regular session was adjourned at 7:40 p.m.


Kendalyn Harris, Mayor


City Recorder