

Minutes of the
BOUNTIFUL CITY COUNCIL
May 9, 2023 – 7:00 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.

Closed Session – 6:00 p.m.
Chamber Conference Room

Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
	City Manager	Gary Hill
	City Attorney	Clinton Drake

**CLOSED SESSION TO DISCUSS THE ACQUISITION OR SALE OF REAL PROPERTY,
PENDING LITIGATION AND/OR TO DISCUSS THE CHARACTER AND/OR
COMPETENCY OF AN INDIVIDUAL(S)** (Utah Code §52-4-205)

The closed session began at 6:00 p.m.

The closed session ended at 7:08 p.m.

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
	Asst City Manager	Galen Rasmussen
	City Engineer	Lloyd Cheney
	City Attorney	Clinton Drake
	Planning Director	Francisco Astorga
	Streets Director	Charles Benson
	Power Director	Allen Johnson
	Parks Director	Brock Hill
	Police Chief	Ed Biehler
	Water Director	Kraig Christensen
	Asst City Engineer	Todd Christensen
	Senior Planner	Amber Corbridge
	Recording Secretary	Maranda Hilton

WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER

Mayor Harris called the meeting to order at 7:12 p.m., apologized for the late start and welcomed those in attendance. Mr. Sterling Harris led the Pledge of Allegiance and Mr. Jay Nielsen offered a prayer.

PUBLIC COMMENT

The public comment section was opened at 7:14 p.m.

No comments were made.

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

CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETING HELD APRIL 10, 11, 12, 13 & 25, 2023

Councilmember Bahr made a motion to approve the minutes and Councilmember Bradshaw seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

COUNCIL REPORTS

Councilmember Bradshaw reported on the ongoing SDRD budget discussions. She explained that the SDRD has a current cash reserve of -\$1M and that although the COVID-19 pandemic negatively affected the district financially, they clearly had issues even before that time using reserves to fund additional employees. She said that some of the board members are seeking a substantial raise in property taxes to remedy the budget imbalance, but she believes more work should be done to reduce expenses and ensure that all programs are able to cover their costs in addition to bringing property taxes up just enough to match rises in inflation. She reminded residents that the SDRD board meetings are open to the public and encouraged everyone to attend.

Councilmember Higginson reported that Lake Powell is rising about one foot every day right now, due to the melting snowpack, which is good news for the City’s power resource outlook.

Councilmember Bahr reminded the public about the Bountiful History Museum and encouraged everyone to go and take their families. It is a wonderful resource for the Bountiful community.

Councilmember Price-Huish reported that the Bountiful Davis Art Center (BDAC) will be holding Summerfest again this summer on June 12, 19 and 26 from 5:30 to 8:30 p.m. at Town Square. People wishing to volunteer for Summerfest should visit the BDAC website. She also reported that the Free Family Art Night will be May 22 from 6:30 to 8:00 p.m. at the BDAC. She reported that the 48th Annual Statewide Art Competition will open this Friday night, May 12, from 6:00 to 8:00 p.m. and run for the next few weeks. She also congratulated the Planning Department on the wonderful open house events they held for the Bountiful General Plan update and encouraged all residents to go online to bountifulgeneralplan.com to give their feedback and share ideas.

Mayor Harris reported that due to HB499 passing, Davis County will have to find emergency winter shelter for homeless people and she wanted to make everyone aware that that process had begun.

Councilmember Bell also encouraged everyone to go online and share ideas for the General Plan.

1 **BCYC REPORT**

2 Ms. Kezia Holt, BCYC Mayor, reported that new leadership has been chosen for the
3 upcoming school year. She reported the BCYC participated in a tri-youth council food drive this past
4 weekend. They are planning a “Stomp on Main” event for June 9, which will be held at Town Square
5 from 8:30 to 10:30 p.m. and is open to all high school students with a student ID. They are also
6 putting together skits about recycling for the Sanitation Department which they will record at their
7 leadership conference on Friday. They will also be volunteering at the Chalk Art Festival,
8 Summerfest and the Coats for Kids Car Show.

9 Councilmember Bradshaw asked what the Councilmembers can do to help spread the word
10 about the “Stomp on Main” event. Ms. Holt said that sharing the flyer on social media would be a
11 great help.

12 Councilmember Bell commended the BCYC members for their commitment and dedication,
13 explaining how busy they have been the past few weeks.

14 Mayor Harris thanked Ms. Holt and the BCYC for how much they are doing.

15
16 **CONSIDER APPROVAL OF:**

17 **A. EXPENDITURES GREATER THAN \$1,000 PAID APRIL 17 & 24, 2023**

18 **B. MARCH 2023 FINANCIAL REPORT**

19 Councilmember Higginson made a motion to approve the expenditures paid April 17
20 & 24, 2023, and the March 2023 financial report and Councilmember Bell seconded the
21 motion, which passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-
22 Huish voting “aye.”

23
24 **CONSIDER APPROVAL OF ENTERING INTO A CONTRACT WITH PARKIN TENNIS**
25 **FOR \$295,400 AND WITH JP ELECTRIC FOR \$43,870 FOR THE RECONSTRUCTION OF**
26 **PICKLEBALL COURTS AND LIGHTING AT TWIN HOLLOW PARK – MR. BROCK**
27 **HILL**

28 Mr. Brock Hill explained that in 2022 the City contracted with a different contractor for the
29 pickleball courts, but the contract was terminated due to inability to complete the work. He said that
30 he reached back out to the other bidders and Parkin Tennis came back with the low bid of \$295,400.
31 Mr. Hill said that JP Electric came back with the lowest bid for the electrical work on the lighting for
32 the courts at \$43,870. Staff recommends using these contractors for the project.

33 Mr. Brock Hill added that demolition was completed by the Streets Department and that the
34 reconstruction project should be completed by the end of June. He noted that they will be exceeding
35 the original budget for this project, but that Mr. Gary Hill helped them find some money from the
36 contingency account in the Legislative Budget.

37 Councilmember Bradshaw made a motion to approve the contracts with Parkin Tennis and JP
38 Electric for the pickleball courts at Twin Hollows Park and Councilmember Higginson seconded the
39 motion which passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting
40 “aye.”

41
42 **CONSIDER APPROVAL OF A BID FROM BIG HORN CONTRACTORS, LLC TO BUILD**
43 **THE 2023 MUELLER PARK STRUCTURES – BRIDGE 1 PROJECT IN THE AMOUNT OF**
44 **\$74,500 – MR. TODD CHRISTENSEN**

45 Mr. Todd Christensen explained that some bridges are needed to support the expansion of the
46 trails system this year, and the first one will be placed across Kenny Creek near the Mueller Park

1 picnic area. He acknowledged the assistance of the Forest Service regional staff who helped provide
2 feedback for the project. Mr. Christensen said that staff recommends accepting the low bid from Big
3 Horn Contractors. The City has not contracted with them previously but they have no reservations
4 about using them due to their many good references. He added that this project will be funded by the
5 trails bond.

6 Councilmember Higginson made a motion to approve the bid from Big Horn Contractors and
7 Councilmember Bradshaw seconded the motion. The motion passed with Councilmembers Bahr,
8 Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
9

10 **CONSIDER APPROVAL OF THE ARCHITECTURAL AND SITE PLAN REVIEW FOR**
11 **TINO’S TAPROOM LOCATED AT 1385 SOUTH 500 WEST (ROBINTINO’S) – MS.**
12 **AMBER CORBRIDGE**

13 Ms. Amber Corbridge presented the architectural and site plan review for approval for Tino’s
14 Taproom, located at 1385 South 500 West. The Planning Commission recommends approval with the
15 following conditions: bar hours align with the restaurant hours of operation and no later than 11:00
16 p.m., submittal of a detailed floorplan showing seating in the bar and restaurant, the bar area be
17 limited to 49 occupants, and the implementation of the staff-recommended site plan for landscaping
18 requirements.

19 Councilmember Higginson made a motion to approve the architectural and site plan review
20 for Tino’s Taproom and Councilmember Price-Huish seconded the motion. The motion passed with
21 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
22

23 **CONSIDER THE PURCHASE OF SOFTWARE DEVELOPMENT FROM ACCELERANT**
24 **USA IN THE AMOUNT OF \$28,000 – CHIEF ED BIEHLER**

25 Chief Biehler explained that as the Police Department has been going through the process of
26 switching from EFORCE to Motorola Flex dispatch software, they realized they will need to have
27 access to old records to fulfill GRAMA requests and expungements, etc. Staff researched the options
28 and decided to contract with Accelerant USA for software that would allow them to access all of their
29 past records for a one-time cost of \$28,000. Chief Biehler explained that the alternative would be to
30 enter into an agreement with EFORCE for a yearly fee of \$44,000. He explained that he has checked
31 with Motorola and with the IT Department to make sure this solution will work with their new
32 system, and everything is looking good. City Manager Gary Hill gave him permission to sign the
33 contract with Accelerant USA since this is a very time sensitive issue, and Accelerant needed a few
34 weeks to get the software written before the Police Department goes live with Motorola.

35 Councilmember Higginson thanked the Chief for finding a money-saving solution.

36 Councilmember Bell asked about a clause in the contract that talks about the two-year
37 expiration on confidentiality of the information. Chief Biehler said he was unsure what that meant,
38 because Accelerant does not have access to the information, but said that he would investigate it and
39 get the Council an answer. Mr. Clint Drake said that the Council could go ahead and approve the
40 purchase pending the results of that question if they chose.

41 Councilmember Bell made a motion to approve the purchase of software from Accelerant
42 USA and Councilmember Price-Huish seconded the motion. The motion passed with
43 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
44

45 **CONSIDER APPROVAL OF THE FISCAL YEAR 2023-2024 TENTATIVE BUDGET AND**
46 **RELATED ITEMS – MR. GALEN RASMUSSEN**

1 **A. ORDINANCE 2023-01 ADOPTING RATES AND FEES AND ADMINISTRATIVE**
2 **POLICIES**

3 **B. ADOPTION OF THE FISCAL YEAR 2023-2024 TENTATIVE BUDGET**

4 **C. SETTING THE TIME, DATE AND PLACE FOR A PUBLIC HEARING ON THE**
5 **FINAL BUDGET**

6 Mr. Galen Rasmussen presented an overview of the budget process and went over the details
7 for the FY2023-2024 tentative budget. He went through proposed rate and fee increases, the
8 proposed COLA increase for employees and proposed additional City staff positions. He
9 explained that no property tax increase is being proposed. He then turned some time over to Mr.
10 Allen Johnson, Power Director, and Mr. Kraig Christensen, Water Director, to give reports on
11 their respective departments' proposed rate increases.

12 Mr. Allen Johnson explained that the proposed rate and fee increases for the coming fiscal
13 year were not arrived at lightly. He explained all of the many issues impacting the cost of power
14 resources right now (drought, coal mine fires, railroad logistics, increasing delivery times for
15 parts, power plant projects being shut down, etc.) and said that the Power Department needs to
16 increase rates in order to be able to keep supplying power to residents and to stay on top of
17 scheduled maintenance to the aging infrastructure. Councilmember Bell asked when the last time
18 the City raised its power rates was. Mr. Johnson said they generally raise the rates every couple of
19 years to keep up with increased prices; they did a 2% increase two years ago.

20 Mr. Kraig Christensen explained some of the issues driving costs up for the Water
21 Department and said that increasing the rates will be necessary for them to stay on track with their
22 40-year pipe replacement and meter replacement plans and to keep infrastructure operational. He
23 explained that part of the rate increase is the addition of a fifth tier to the tier system, which will
24 enable them to see who the high water users are in the peak months of the year. The overall goal
25 is for the Water Department to remain financially stable and able to keep up with improvements
26 to the system for the future.

27 Mr. Rasmussen then turned the time over to Mr. Gary Hill to talk about the fiber project and
28 its customer fees. Mr. Hill explained that this was not part of budget discussions because the City
29 was still in negotiations with UTOPIA Fiber at the time of the budget meetings. He presented the
30 fiber fee schedule and proposed it be adopted this evening along with the other proposed rates for
31 FY 2023-2024.

32 Mr. Rasmussen went through each of the City funds in the budget, and pointed out that there
33 is a slight change in how the Recycling, Landfill and Sanitation budgets are presented compared
34 to previous years. He then went over the details of the RAP Tax grant allocations. He then
35 explained that if the fiber project is approved, it will create a Fiber Optic Utility Fund that will
36 also be included in the final budget document. Next Mr. Rasmussen explained that certain
37 proposed expenditures from the RAP Tax fund, if approved by the Council, will delay the
38 repayment of the Capital Improvements Fund for the Ice Ribbon by another year.

39 Mr. Rasmussen explained that this evening the Council will need to adopt Ordinance 2023-01
40 with the proposed rates and fees and related policies, adopt the tentative budget, and set a time
41 and place for a public hearing on the tentative budget and its related items.

42 Councilmember Bradshaw made a motion to approve Ordinance 2023-01 with all the
43 associated rates and fees and Councilmember Bahr seconded the motion. The motion passed with
44 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting "aye."

1 Councilmember Higginson made a motion to approve the FY2023-2024 tentative budget and
2 to set June 13, 2023 at 7:00 p.m. for a public hearing and Councilmember Bell seconded the motion
3 which passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
4

5 **CONSIDER APPROVAL OF RESOLUTION 2023-06 WHICH AUTHORIZES AN**
6 **INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR A CDBG BLOCK GRANT**
7 **FOR FISCAL YEARS 2024, 2025 AND 2026 – MR. GALEN RASMUSSEN**

8 Mr. Rasmussen explained that this interlocal agreement allows the County to provide
9 Community Development Block Grant (CDBG) funds to residents in the Bountiful community, and it
10 comes around about every three years.

11 Councilmember Price- Huish asked if Bountiful City has ever used these funds before. Mr.
12 Rasmussen answered that the City has never directly applied for these funds, because Bountiful, is
13 not an entitlement community, but rather it allows the County to provide funds directly to Bountiful
14 residents. Mr. Gary Hill added that in the past Bountiful has not qualified as an entitlement
15 community because our area median income is too high, so the only option is to apply for CDBG
16 grants as an organization to the County. This agreement allows organizations within Bountiful to
17 apply for those funds instead, like the Food Pantry.

18 Councilmember Higginson made a motion to approve Resolution 2023-06 and to compel the
19 Mayor, City Recorder and City Attorney to sign it and Councilmember Bradshaw seconded the
20 motion, which passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish
21 voting “aye.”
22

23 **CONSIDER APPROVAL OF MILLER PAVING’S PROPOSAL FOR THE 300 SOUTH &**
24 **400 SOUTH RECONSTRUCTION PROJECTS AT THE UNIT PRICES NOTED IN THE BID**
25 **TABULATION – MR. LLOYD CHENEY**

26 Mr. Lloyd Cheney explained that the Engineering Department put together a contract for a
27 split project on 300 South and 400 South and were fortunate to have seven companies respond with
28 proposals. Staff recommends accepting the proposal from Miller Paving, a very reputable local
29 company. He added that Miller Paving has their own concrete crew, which will help them get the
30 project done more efficiently.

31 Councilmember Bell made a motion to approve the proposal from Miller Paving as outlined
32 and Councilmember Price-Huish seconded the motion. The motion passed with Councilmembers
33 Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
34

35 **CONSIDER FINAL ACCEPTANCE OF THE JOE AND BETTE EGGETT PHASE 6**
36 **SUBDIVISION AND RELEASE OF REMAINING BOND FUNDS – MR. LLOYD CHENEY**

37 Mr. Cheney reported that the warranty period has expired for the Joe and Bette Phase 6
38 subdivision on 1800 South, and it is time for the City to assume the maintenance responsibilities of
39 those public improvements. Staff members inspected the improvements and found them to be in great
40 shape, so they recommend releasing the Eggetts from any future maintenance responsibilities and
41 releasing the remaining bond proceeds to the Eggetts.

42 Councilmember Bahr made a motion to accept the subdivision and release the remaining bond
43 proceeds and Councilmember Higginson seconded the motion. The motion passed with
44 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”
45

CONSIDER APPROVAL OF THE BOUNTIFUL CITY LIBRARY AND VOTE CENTERS IN EACH DAVIS COUNTY CITY AS POLLING LOCATIONS FOR POSSIBLE AUGUST 15TH PRIMARY ELECTION – MR. GARY HILL

Mr. Gary Hill explained that every election year the City Council is required to approve the polling locations and vote centers. He added that Fruit Heights was accidentally left out of the list of locations and should be included in the motion as well.

Councilmember Price-Huish made a motion to approve the polling locations including Fruit Heights, and Councilmember Higginson seconded the motion. The motion passed with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

ADJOURN

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

The regular session was adjourned at 8:33 p.m.

Mayor Kendalyn Harris

City Recorder