



**CLINTON CITY COUNCIL SPECIAL MEETING MINUTES
CITY HALL
2267 North 1500 W Clinton UT 84015**

**MAYOR
L. Mitch Adams**

**CITY COUNCIL MEMBERS
Anna Stanton
Karen Peterson
Mike Petersen
Barbara Patterson
TJ Mitchell**

This meeting was conducted electronically

Mayor Adams read the following statement.

**DETERMINATION BY THE CHAIR OF THE CITY COUNCIL
CONCERNING AN ANCHOR LOCATION**

Pursuant to UTAH CODE ANN. 52-4-207(4), I, L. Mitch Adams, the mayor of Clinton City and chair of the City Council, hereby determine that due to the state of emergency caused by COVID-19, a global pandemic, I find that conducting a meeting at an anchor location under the current state of public health emergency constitutes a substantial risk to the health and safety of those who may be present in the location. Effective as of August 26, 2020.

Mayor L. Mitch Adams

Date of Meeting	August 27, 2020	5:00 PM	Called to Order: 5:01 p.m.
Staff Present	City Manager Dennis Cluff, Community Development Director Valerie Claussen, Public Works Director David Williams, and Lisa Titensor recorded the minutes.		
Citizens Present	Dereck Bauer, Rob Elgren		
Roll Call & Attendance	Mayor Adams, Councilmember Mike Petersen, Councilmember Barbara Patterson, Councilmember Anna Stanton, Councilmember TJ Mitchell and Councilmember Karen Peterson		
Public Input	There was none.		

A. AGREEMENT WITH UTOPIA FOR WIFI EXTENSIONS TO CERTAIN CITY PUBLIC AREAS

Petitioner	Dennis Cluff
Discussion	<p>Mr. Cluff explained that as previously discussed, this project with Utopia would bring fiber cable into several sections of the City allowing WiFi connections into 6 different park locations: Heritage Park; Veteran’s Park; Powerline Park; City Park near the football area; family camp area and Pond Park.</p> <p>As the fiber cable is laid to each of these areas, the WiFi connectivity equipment will be added as well to provide the broadcast for internet connection at each area. This will provide an ever increasing need of coverage availability to the public as the fiber cable progresses from park to park.</p> <p>The initial cost includes 3 years of Utopia providing the WiFi coverage and maintenance of the sites. After that, the City will either need to pay Utopia for an extension of the services or get coverage from a different commercial company.</p> <p>This agreement calls for the construction and payments to all be completed before November 30, 2020 as required by the State for use of CARES Act funds.</p> <p>Mayor Adams commented the City’s intent is to extend the ability for citizens to have access to high speed internet; spending Cares Act Funds as they were intended to be</p>

spent which is identified in the first paragraph of the agreement:

Clinton City (“City”) is purchasing Wi-Fi connectivity (the “Connections”) in response to the needs of the City and the City’s residents as a result of the COVID-19 public health emergency. The City intends to provide for technological improvements to facilitate distance learning and improved telework opportunities for City residents.

Roger Timmerman of Utopia Fiber explained to accommodate the project timeline; six parks have been selected. The project will be fully engineered along with blue staking and securing all required permits. This route is designed for the quickest installation. It will assist in enabling a lifeline for residents to have a place to access good broadband service.

If the City decides to expand the project to residential homes, this project will reduce that future cost.

The route is built with access capacity in mind in addition to taking the potential for future advancement into consideration.

Mr. Timmerman explained the power costs will be the responsibility of the City; the cost for WiFi connectivity to each park is included with the project for three years. The cost is approximately \$180 per month. The fiber will be owned by Utopia which is a governmental, publicly owned entity.

Mayor Adams commented he regularly receives complaints about current internet options and service in Clinton. With COVID-19, there is even a higher demand for internet service which has caused issues. This project will be a great asset for families and will provide an opportunity to ease demand on the rest of the system.

Mr. Cluff asked what the capacity will be for each park.

Mr. Timmerman responded each park will have a full one gig connection which can support up to approximately 750 clients. Due to high demand, there is limited equipment availability. If a large event is planned, they can make a temporary accommodation. This level of connection will allow 30 to 40 people to participate in video conferencing simultaneously. The fiber itself is capable of 10 gigs. If expansion is necessary in the future, it can be upgraded with minimal cost.

Councilmember K. Peterson commented she feels there is a strong need to help students at this time. A lot of the parks are connected to local schools. She feels the project makes a lot of sense for the community. She appreciates Utopia and staff for putting this together.

Mr. Timmerman responded the demand can be tweaked if there is a need to accommodate more coverage. If there are areas that need to be addressed, Utopia will make sure there is adequate coverage and service.

Councilmember Stanton stated she is thrilled Clinton is moving forward with this project. Her only concern is not providing service to Kestrel and Meadows Park. She stated these are both in centralized areas and asked if they could be a consideration.

Mr. Timmerman responded the issue with these parks is not the cost but the timing issue. Both these parks have obstacles that would take time to resolve and prevent the project from meeting the deadline for the Cares Act Funding. These parks could potentially be added to a phase 2 of the project if the deadline changes or if the City moves forward with installing fiber to the rest of the City.

Dave Williams clarified Clinton City has been successful in getting UTA permission for other projects in the past; he can work with Utopia to secure crossing permits if necessary.

Mr. Timmerman stated it would cost approximately \$140,000 each to add Kestrel and

	<p>Meadows parks.</p> <p>Mr. Williams stated Clinton City can work with Utopia to help get the crossing permits.</p> <p>Mr. Cluff responded staff can evaluate these other sites as the project moves forward and add them to the project if conditions allow.</p> <p>Mayor Adams asked for clarification on the terms of the agreement in regards to the speed and guarantees of completion of the project in the required time frame. By using the Cares Act Funds, the City will not be able to pay if the project does not get completed.</p> <p>Mr. Timmerman responded if Utopia fails to deliver, they would cancel the rest of the project without the intention of being paid. If necessary, failure to deliver verbiage could be added to the contract, but Utopia understands they will only be paid for the portions of the project completed.</p> <p>Mr. Cluff reported the residential fiber survey has been sent out to Clinton residents on FaceBook and will be in the upcoming newsletter.</p>
<p>CONCLUSION</p>	<p>Councilmember K. Peterson moved to approve the Fiber Network Agreement for WiFi extensions to City Public Areas identified with Cares Act Funding for \$598,833 with Utopia. Councilmember Stanton seconded the motion. Voting by roll call is as follows: Councilmember M. Petersen, aye; Councilmember Stanton, aye; Councilmember Patterson, aye; Councilmember K. Peterson, aye; Councilmember Mitchell, aye.</p>
<p>Approval of Minutes</p>	<p>Councilmember K. Peterson moved to approve the minutes of the August 11, 2020 City Council Meeting. Councilmember M. Petersen seconded the motion. Councilmembers K. Peterson, M. Petersen, Stanton, Mitchell and Patterson voted in favor of the motion.</p>
<p>Accounts Payable</p>	<p>Councilmember Stanton moved to pay the bills and authorize the Mayor to sign on behalf of the City Council. Councilmember K. Peterson seconded the motion. Councilmembers M. Petersen, Stanton, K Peterson, Mitchell and Patterson voted in favor of the motion.</p>
<p>ADJOURNMENT</p>	<p>Councilmember Stanton moved to adjourn. Councilmember M. Petersen seconded the motion. Councilmembers M. Petersen, Stanton, K. Peterson and Patterson voted in favor of the motion. The meeting adjourned at 5:43 p.m.</p>
<p><u>ACTION ITEMS</u></p>	<ul style="list-style-type: none"> • Subdivision Ordinance – recommendation for concrete in the park strips along UDOT roads. (August 2016) – Planning Commission Review • Bring back Chapter 4 of the Subdivision Ordinance regarding allowing a letter of credit for escrow and researching what surrounding jurisdictions allow (26-4-8). 6g(January 2017) Planning Commission Review • Update Ordinance to eliminate pressurized sewer lines in the Clinton City streets on new residential development (January 2018). • Create a facilities maintenance plan before the next budget cycle in FY 19-20 (May 2018). • Remove river rock from the low maintenance material allowed for park strips in the ordinance (Aug 2019).

Dennis W. Cluff, Clinton City Recorder