

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
November 2, 2023
6:00 p.m.**

PRESENT:	D. J. Bott	Mayor
	Dave Hipp	Councilmember
	Dave Jeffries	Councilmember
	Dave Jensen	Councilmember
	Ryan Smith	Councilmember
	Robin Troxell	Councilmember

ALSO PRESENT:	Christina Boss	City Recorder
	Mark Bradley	City Planner
	Dave Burnett	Public Power Director
	Mike Christiansen	City Attorney
	Chris Howard	Police Commander
	Tom Kotter	Finance Director
	Paul Larsen	Community & Economic Development Director
	Derek Oyler	City Administrator
	Chad Reyes	Police Chief <i>arrived at 6:12 p.m.</i>
	Brandon Thueson	Fire Chief
	Mike Young	Assistant Fire Chief/Fire Marshal

Mayor Bott called the meeting to order at 6:00 p.m. Associate Pastor Aaron Fonseca gave the reverence period, and the Pledge of Allegiance was recited.

CONSENT

Approval of October 5, 10, and 19, 2023 City Council Meeting Minutes

Request to Write-off Utility Accounts Due to Bankruptcy or Being Sent to Collections

A list of accounts totaling \$5,557.71 was presented to be removed from the City's system due to customers taking out bankruptcy or being sent to collections.

Request to Schedule Special Meeting on December 5, 2023 at 5:00 p.m. to Canvass General Election Returns

As the Board of Municipal Canvassers for the City, the Council is required to canvass the returns of the general election no sooner than seven days after the election and no later than 14 days after the election.

Appointment to Planning Commission

Solomon Smith was recommended for appointment to the Planning Commission.

Appointment to Appeal Authority

Dean Lester was recommended for appointment to the Appeal Authority.

MOTION: A motion to approve the Consent agenda was made by Councilmember Jensen, seconded by Councilmember Hipp, and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

PUBLIC COMMENTS

P.J. Sutton – Dr. Sutton spoke about the history of fluoridation in Brigham City water and the benefits of fluoride. He asked what was involved in the City Council's decision to have the fluoridation question on the ballot.

COUNCILMEMBER COMMENTS

Councilmember Jensen – attended the Police Department awards banquet and was impressed by the dedication of the officers and staff.

Councilmember Troxell – also attended the banquet and commented on the caliber of the officers and staff. Councilmember Troxell attended a BRAG meeting and reminded folks about the Code Blue program. In Logan City a church will house the homeless overnight when the temperatures fall. There is also a similar program called 2nd + 2nd Coalition in Salt Lake City.

Councilmember Smith – also attended the banquet and echoed previous sentiments. He expressed his gratitude for everything the Police Department does. Councilmember Smith attended the Box Elder County Economic Development meeting as well as a Chamber Executive Board meeting where they are gearing up for the legislative session.

Mayor Bott – stated City staff and Councilmembers are doing a no shave November and invited the community to join in. Mayor Bott spoke about Dr. Sutton's fluoride comment and stated the decision to put the question to the voters was based on the \$85,000/year to fluoridate the water. The City engineer estimated that only 2% to 5% of the fluoridated water is actually consumed.

ACTION ITEMS

Consideration of Ordinance Amending Brigham City Code Section 29.05.270 Supplementary and Qualifying Regulations; Accessory Dwelling Units

Mr. Bradley came forward and explained in 2021 the City adopted Code for internal accessory dwelling units (ADUs). In 2022, the Code was amended to allow for detached ADUs. The applicant petitioned to adjust City Code for ADU height and appearance. Current Code restricts the ADU height not to exceed the height of the home, and the appearance must be similar to the primary dwelling.

The proposed change allows the appearance to be similar to the primary dwelling or, have characteristics of modern architectural designs and be complimentary to adjoining properties and surrounding area. The proposed change allows height to be limited to 20 feet when located outside of the primary dwelling buildable area and be limited to one story except when located above a detached garage when located inside the primary dwelling buildable area or, within the attic space of a one story detached accessory building located outside of the primary dwelling buildable area or, within the primary dwelling buildable area as a two-story detached ADU.

Mr. Bradley stated the Planning Commission held a public hearing and recommended approval to the City Council. Mr. Oyler notified Council that staff, after researching State Code, would bring proposed changes to the utility billing policies & procedures resolution to include a requirement that the second electric meter be kept in the name of the property owner. The change could also include water and sewer meters. Mr. Bradley noted City Code does not override CC&Rs on building material, type, and architecture for accessory structures.

MOTION: Councilmember Troxell made a motion to approve the Ordinance amending Brigham City Code Section 29.05.270 Supplementary and Qualifying Regulations; Accessory Dwelling Units.

Roll Call:	Councilmember Hipp	Aye
	Councilmember Jeffries	Aye
	Councilmember Jensen	Aye
	Councilmember Troxell	Aye
	Councilmember Smith	Aye

Request for Approval of Façade Grant at Capitol Theatre Located at 53 South Main Street

Mr. Larsen displayed illustrations of the proposed improvements to the Capitol Theatre façade including new paint, vinyl letters, lighting, and clock repair. The State's historic architect gave his approval of the upgrades. The total amount of money estimated for the project was \$55,432.05 and the amount of the proposed grant award was \$10,000.00.

MOTION: A motion to approve the façade grant at Capitol Theatre located at 53 South Main Street was made by Councilmember Jeffries, seconded by Councilmember Jensen, and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

Request for Approval of Interlocal Agreement Between Box Elder County and Brigham City for Storage of Tourism and Recreation Equipment

Mr. Oyler explained this action would renew the current Agreement for storage of the City's Christmas village. The County Commission approved the additional 20-year term. The City will do a small stormwater project around the facility to keep the water from the old landfill away from the building.

MOTION: A motion to approve the Interlocal Agreement between Box Elder County and Brigham City for storage of tourism and recreation equipment was made by Councilmember Smith, seconded by Councilmember Troxell, and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, aye.

DISCUSSION ITEMS

Fire Engine Purchase

Mr. Kotter stated the engine ordered last year for approximately \$800,000 would be arriving in the next few months. The manufacturer of the truck quoted the current price for the same engine would be \$1.2 million and the lead time would be 38-39 months. The manufacturer anticipated another price increase in January 2024.

Mr. Kotter stated the City spent \$55,000 over the past two years for maintenance on Engine 22, which will be the second out engine when the new engine is in service. Chief Thueson came forward and spoke about the difficulties staff faces when Engine 22 is out of service.

Mr. Kotter stated if the City were to buy the engine today and prepay the entire amount the cost would be \$997,981. Chief Thueson and staff put together an RFP for the purchase of a new engine and will bring those bids back to City Council at a future date. Mr. Oyler stated financing options would be presented when the item is brought back to Council.

At 7:34 p.m. the Council adjourned to a closed session to discuss the purchase, exchange, or lease of real property.

MOTION: Councilmember Jensen made a motion to adjourn to a closed session. The motion was seconded by Councilmember Troxell.

Roll Call:	Councilmember Smith	Aye
	Councilmember Troxell	Aye
	Councilmember Jensen	Aye
	Councilmember Jeffries	Aye
	Councilmember Hipp	Aye

At 9:52 p.m. the Council returned to an open meeting and adjourned.

MOTION: Councilmember Jensen made a motion to return to an open meeting. The motion was seconded by Councilmember Smith and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Troxell, aye; Councilmember Smith, aye; Councilmember Hipp, aye.

MOTION: Councilmember Jensen made a motion to adjourn. The motion was seconded by Councilmember Smith and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Troxell, aye; Councilmember Smith, aye; Councilmember Hipp, aye.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the November 2, 2023 City Council Meeting.

Dated this 20th day of November 2023.

Christina Boss

Christina Boss, Recorder