

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
November 16, 2023
6:00 p.m.**

PRESENT:	D. J. Bott	Mayor
	Dave Jeffries	Councilmember
	Matt Jensen	Councilmember
	Ryan Smith	Councilmember
	Robin Troxell	Councilmember
ALSO PRESENT:	Mark Bradley	City Planner
	Dave Burnett	Public Power Director <i>via Zoom</i>
	Mike Christiansen	City Attorney <i>arrived at 6:27 p.m.</i>
	Angie Johnsen	Human Resource Manager
	Tom Kotter	Finance Director
	Paul Larsen	Community & Economic Development Director
	Derek Oyler	City Administrator
	Tyler Pugsley	Public Works Director
	Kristina Rasmussen	Deputy City Recorder
	Chad Reyes	Police Chief
	Brandon Thueson	Fire Chief
ABSENT:	Dave Hipp	Councilmember

Mayor Bott called the meeting to order at 6:00 p.m. Bishop Nathan Hall gave the reverence period, and the Pledge of Allegiance was recited.

RECOGNITION OF EMPLOYEES

Mayor Bott recognized all those involved in the Veteran's Day Program organized by Amanda Keller including Carmen Bach, Leslie Young, Jaycee Hardy, Angie Ruiz, Kathy Tolman, Tamara Adamson, Bruce Baird, Kathy Toleman, and the Recreation staff. He thanked the YCC for volunteering their time as well. Ms. Keller came forward and recognized donations from Combat Veterans Motorcycle Association, Nucor, Niagara, Myers Mortuary, and Missy Rohde. Mayor Bott extended the appreciation of City Councilmembers.

Mayor Bott excused Councilmember Hipp from the meeting.

CONSENT

Approval of November 2, 2023 and November 8, 2023 City Council Meeting Minutes

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

A list of accounts totaling \$1,361.03 was presented to be removed from the City's system due to customers taking out bankruptcy or being sent to collections.

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

PUBLIC HEARING

Stormwater Public Hearing

Mr. Pugsley came forward and stated the public hearing was required as part of the stormwater management plan. Councilmember Smith asked if the stormwater system was being upgraded as part of the railroad

overpass project. Mr. Pugsley confirmed and explained it was part of the utility relocation project on Forest Street.

A motion to open the public hearing 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, absent. There were no public comments. A motion to close the public hearing was made by Councilmember Jensen, seconded by Councilmember Jeffries, and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, absent.

PUBLIC COMMENTS

Randell Capener – Dr. Capener did not support removing fluoride from the water. He stated fluoridation is a low-cost large reach item and quoted the CDC as calling it one of the greatest public health advances in the last 100 years.

Julianna Larsen – Ms. Larsen commented on the nuclear power project Brigham City had been involved in through UAMPS and the funding that the City committed to.

COUNCILMEMBER COMMENTS

Councilmember Troxell – attended the Youth City Council meeting and reminded folks about the Wreaths Across America service project. Donation information can be found on the YCC webpage and Myers Mortuary Grief Support page.

Councilmember Smith – encouraged folks to get out and vote.

Mayor Bott – spoke about the Habitat for Humanity banquet. He also attended the Box Elder School District's Jubilee of Trees. He stated the ballot question on fluoride was about the costs to distribute the fluoride into the drinking water system, not dental health. He addressed Ms. Larsen's comment regarding the Carbon Free Power Project (CFPP). The CFPP was a UAMPS project with NuScale to build small modular reactors. The NuScale project may continue but the UAMPS partners involvement has been terminated. Brigham City is responsible for 12.7% of UAMPS' commitment and those details will be made public at a later date due to the confidentiality agreement. Mayor Bott stated the benefit of having substantial permanent power at a reasonable price outweighed the project risk. Moving forward, the City will be interviewing consultants to help find the lowest power prices available to include in the portfolio.

ACTION ITEMS

Consideration of Resolution Amending Building Code Fee Schedule and Community Development Fee Schedule to Allow for System Impact Study Fee

Mr. Kotter came to the podium and explained there has been an increase in project development interests and City staff members spend countless hours providing information to those potential projects. The proposal was a system impact study for large scale project development which would include a minimum \$10,000 deposit. The remaining deposit funds at the completion of the study, if any, would be refunded. If the study was more than \$10,000 the applicant would be responsible for the difference. Any projects requesting more than 5 MW would be considered large scale.

MOTION: Councilmember Troxell made a motion to approve the Resolution amending the building code fee schedule and community development fee schedule to allow for system impact study fee. The motion was seconded by Councilmember Jensen.

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

Consideration of Update to Employee Policy & Procedure Manual Chapter 9-9, Military Leave

Mr. Johnsen came forward and detailed changes to the policy.

- Added
 - Compliance with Uniformed Service Employment & Reemployment Rights Act (USERRA)
 - Procedures and Responsibilities section details City requirements
 - Employee's responsibility to retain health care benefits
 - USERRA provisions for return to work
 - Verbiage regarding discrimination and retaliation
- Changed:
 - Length of Leave was changed from 15 days to 120 hours per calendar year, and ensures the benefit is for voluntary and involuntary service
 - No accrual of personal or annual leave during military leave without pay

MOTION: A motion to approve the update to the Employee Policy & Procedure Manual Chapter 9-9, Military Leave, was made by Councilmember Jensen, seconded by Councilmember Jeffries, and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, absent.

Request for Approval of Bus Donation to Box Elder School District

Mr. Oyler explained the Senior Center bus was surplus due to Utah Transit Authority's (UTA) services meeting the needs of our senior citizens via paratransit, flex, and regular routes. The bus was sent to auction twice, but the bids did not meet the reserve. Several School District employees came to look at the bus during the auction. Mayor Bott and staff reached out to the School District to gauge the interest in a donation. Mr. Oyler read a letter from the School District Business Administrator which expressed thanks for consideration of the potential donation. The School District's intention was to use the bus for the adult special education program.

Councilmember Jeffries suggested the route schedules for all three UTA services, as well as how to schedule a pickup, be placed on the City's website. Councilmember Smith suggested the Community Center open house include continuing education for seniors concerning UTA services.

MOTION: A motion to approve the bus donation to Box Elder School District was made by Councilmember Smith, seconded by Councilmember Jensen, and carried unanimously. Councilmember Jensen, aye; Councilmember Jeffries, aye; Councilmember Smith, aye; Councilmember Troxell, aye; Councilmember Hipp, absent.

Regarding the system impact study item, Mr. Oyler made a correction stating the size of large-scale projects would include any project/customer requesting 2 MW or more of power or any project/customer requesting 1 MW of power or more for a generator.

At 6:48 p.m. the Council adjourned to a closed session to discuss the purchase, exchange, or lease of real property and pending or reasonably imminent litigation.

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

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

At 7:01 p.m. the Council returned to an open meeting and adjourned.

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

MOTION: Councilmember Jeffries 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, absent.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the November 16, 2023 City Council Meeting.

Dated this 7th day of December 2023.

Christina Boss

Christina Boss, Recorder