

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
May 15, 2014**

PRESENT:	Tyler Vincent	Mayor
	DJ Bott	Councilmember
	Ruth Jensen	Councilmember
	Tom Peterson	Councilmember (<i>excused until 7:37 pm</i>)
	Brian Rex	Councilmember
	Mark Thompson	Councilmember

ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Mary Kate Christensen	City Recorder
	Jared Johnson	Community Development Director
	Paul Larsen	Economic Development Director
	Kristy Law	Community Activities & Services Manager
	Bruce Leonard	City Administrator
	Kirk Morgan	City Attorney
	Tyler Pugsley	Public Works Director
	Jason Roberts	Finance Director
	Mike Nelsen	Police Lieutenant

Mayor Vincent called the meeting to order. The Reverence Period was given by Eric Sitterud, Service Leader from the Alpine Church.

Approval of Minutes: A motion to approve the minutes of the April 24, 2014 Special Session and the May 6, 2014 Budget Work Session was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously approved as distributed.

AGENDA

**PUBLIC COMMENT
CONSENT**

Request to Offer Free Swimming to Brigham City Residents on May 31, 2014
Request to Write-off Accounts Due to Bankruptcy or Being Sent to Collections

PUBLIC HEARING

Application for a Loan from the Utah Permanent Community Impact Board to Fund Local Match for Utah State University Brigham City Regional Campus Academic Building
Application for a Grant from the Utah Permanent Community Impact Board to Fund Update of Brigham City General Plan
Community Development Block Grant 2nd Public Hearing for \$45,000 for the Brigham City Senior Center Parking Lot Overlay

SCHEDULED DELEGATION

Youth City Council Annual Report

NEW BUSINESS

Request for Authorization to Proceed with Acceptance of Bid on the Academy Building

PUBLIC COMMENT

Lee Johnson, Brigham City - Mr. Johnson reminded the Council that as they deal with all the hot topics in the City, that it is an ungrateful servant that chastises his master and it is an irresponsible master that chastises its servants. Government has been pitting against each

other. We can pretend that the intentions of former councils were good, but we cannot run away from the consequences of it. Citizens do not trust government. For over a hundred years government has been dividing and pitting the citizens against each other. This needs to stop in order to build a community.

DeAnna Hardy, County - Ms. Hardy said all attorneys need to come together along with the Utah State Attorney General's Office to protect the citizens from the health dangers emitted from these smart meters as well as the unconstitutionality of the privacy and security concerns. She discussed UTOPIA and that it is wrong to force citizens to pay for something they do not need or want.

There were no further comments from the public.

CONSENT

Request to Offer Free Swimming to Brigham City Residents on May 31, 2014

It was requested that the Council approve free swimming for the pool grand re-opening on May 31, 2014. There will be games, activities and an introduction to the new swimming lessons program, Starfish.

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

A list of accounts totaling \$3,445.46 was presented to be removed from the City's system due to customer taking out bankruptcy or being sent to collections.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Bott, seconded by Councilmember Thompson and unanimously carried.

PUBLIC HEARINGS

Application for a Loan from the Utah Permanent Community Impact Board (CIB) to Fund Local Match for Utah State University Brigham City Regional Campus Academic Building

Mr. Larsen came forward and explained that this loan will be used to meet the local fund commitment for the new Utah State University (USU) campus building. The principle amount of the loan will be \$7.5M, which is the 50% commitment the City made with USU. The City has interlocal agreements from all the taxing entities that would provide a flow of funds that would offset the revenues that will guarantee the loan. The application deadline is June 1, 2014. They will hold review meetings in July, August and September. The funding meeting will be in October.

Councilmember Rex asked if the revenue is sufficient to cover the \$7.5M. Mr. Larsen said it is.

Councilmember Jensen asked Dean Lee from USU about the lower student enrollment. Dean Lee explained that all institutions are down from their peak in the fall of 2012. This is probably due to the lower missionary age for LDS missionaries and also because the economy is better so non-traditional students are working more and taking fewer classes because things have picked up at their place of employment. Their peak in 2012 was 1,160 students. This last fall it was 950. In hopes of increasing this they are spending more on marketing. The regional campuses system hired a new marketing director and a manager that works with the Brigham City campus.

A motion to open the public hearing was made by Councilmember Jensen, seconded by Councilmember Bott and unanimously carried.

DeAnna Hardy, County - Ms. Hardy said the United States has a socialist government education system. This is wrong; it should be a free market so people have a choice if we do not like what is being taught. She added that she is not against education, just government controlled education. She is also against spending more money for more colleges and schools. There is enough

Lee Johnson, Brigham City - Mr. Johnson said he is all for education; he has a daughter that is going to USU and he went to the University of Utah. We have a government run education system and that was not the way the original system was set up. There are still a lot of colleges and universities across the country and they are very frugal with their money. With public schools everyone is picking up the bill.

Dean Tom Lee - Dean Lee stated that it is true that in one point in U.S. history there was not a government supported education system, and at that time only the very wealthy were able to have an education. Education is a real economic driver and key to prosperity so part of the success of this country has been the opportunity for both public education and for higher education to move the country forward. There is a lot of evidence to support this. Currently a college graduate makes 40% more than a non-college graduate, so this is an investment in the future even though in the short-term it does cost money. In the long-term it improves people's lives and the lives of their families. There is also revenue that comes back for the public purposes. He added that private universities are great for those who can afford them. Tuition at Utah State is about \$3,000/semester or about \$6,000/year. Private universities average about \$30,000 per year. Public universities make education accessible to many more people. At the recent Brigham City Campus graduation a Brigham City mother with five kids and three grandkids spoke. She had completed her degree in elementary education and has a teaching position. She was able to achieve this goal by having the university available in Brigham City.

There were no further comments from the public. A motion to close the public hearing was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously carried.

Councilmember Thompson said he views this education facility being a big cornerstone for the City. It is going to be paid for by revenues that are already coming in so it is not increasing the tax burden to the City. It is a win-win situation and he said he is very much in favor of it.

Application for a Grant from the Utah Permanent Community Impact Board to Fund Update of Brigham City General Plan

Mr. Larsen explained that the grant application is for \$40,000 for updates to the general plan. CIB requires a cash match.

Councilmember Jensen made a motion to open the public hearing, seconded by Councilmember Bott and unanimously carried.

Lee Johnson, Brigham City - Mr. Johnson said he is definitely opposed to planning and zoning. A little over 100 years ago this concept was introduced to the Americas from Europe. It goes back to the penal system where the Lords decided which kingdoms did what. It is basically a form of totalitarian control, but we are given the illusion it is part of the American System because city councils run it. It is false doctrine for us to decide what our neighbors can and

cannot do on our land. This is not the way America was founded; it was founded so each person was a king of his own kingdom. There was no planning and zoning when America was first created.

DeAnna Hardy, County - Ms. Hardy said she also does not agree with planning and zoning because it is taking freedoms away from property owners. This country was founded on people being able to have their own property and do what they want to do with it. It is not right that a few people can get together and look at a map and see someone's property and draw a line and suddenly devalue property just by drawing that line.

A motion to close the public hearing was made by Councilmember Thompson, seconded by Councilmember Rex and unanimously carried.

Community Development Block Grant 2nd Public Hearing for \$45,000 for the Brigham City Senior Center Parking Lot Overlay

Mr. Bosworth explained that last fall the City applied for a grant through the Community Development Block Grant (CDBG) for improvements to the Senior Center parking lot. The first public hearing was held last fall to identify the project, an application was submitted and the City was notified it will receive \$45,000 for the project. This should fully fund the project. There is no match required.

Councilmember Jensen made a motion to open the public hearing, seconded by Councilmember Rex and unanimously carried.

Lee Johnson, Brigham City - Mr. Johnson said conceptually this is receiving stolen funds. It is a good idea to support the Senior Center, but he did not believe it should be done at the expense of someone else across the country and the taxes they pay, basically by force.

DeAnna Hardy, County - Ms. Hardy agreed with Mr. Johnson. There are a lot of people that like the Senior Center but it is another socialist program. It doesn't matter if it's a grant, a bond, a loan; it all comes out of citizens' pockets. This is not what government was set up for. It is another socialist system. It should be done privately; it is not right to force citizens to be charitable.

A motion to close the public hearing was made by Councilmember Rex, seconded by Councilmember Bott and carried unanimously.

Councilmember Peterson arrived at 7:37 p.m.

SCHEDULED DELEGATION

Youth City Council Annual Report

The Youth City Council gave a presentation on the activities and service projects they have done in the past year.

- ◆ Toured the Box Elder County Courthouse, Brigham City Tabernacle, the District Court Building, the Fossil Museum, the Public Works Department, the Emergency Services Facility and Staker Parsons Gravel Pit.
- ◆ City Department Heads spoke to them about their positions as well as representatives from the state government, including Ronda Menlove and Ben Ferry.
- ◆ Their service activities included:

- pulled weeds at the cemetery,
 - spotters for the Brigham City ten-man triathlon,
 - designed and constructed the Brigham City community booth at the Box Elder County Fair,
 - moved mountains of books at the library in preparation for the annual book sale,
 - collected donations for the Hearts Meant Together Program,
 - participated in the annual Science Spooktacular at ACYI,
 - wrapped 275 Polar Express books for the Angels for Christmas Program,
 - served and cleaned up at Breakfast with Santa at the Community Center,
 - decorated the Hope of Christmas Tree at City Hall,
 - cleaned at the Fossil Museum,
 - decorated and delivered Valentine's cookies for City officials and employees,
 - picked up litter at Pioneer Park,
 - filled candy bags and helped with the annual Kiwanis Easter Egg Hunt,
 - helped with ticket sales for the Muslim Benefit Concert.
 - Held their fourth annual Senior Ball for the seniors at the Senior Center in cooperation with the Perry City Council.
 - Placed flags on veterans' graves for Memorial Day.
- ◆ Attended the Youth City Council Leadership Institution at Utah State University in Logan.

ADJOURN TO CLOSED SESSION

A motion to adjourn to a closed session to discuss the purchase, exchange or lease of property was made by Councilmember Jensen and seconded by Councilmember Bott. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 7:56 p.m. The Council returned to an open meeting at 8:32 p.m.

NEW BUSINESS

Request for Authorization to Proceed with Acceptance of Bid on the Academy Building

Mr. Johnson came forward and requested that the Council authorize staff to move forward and award a bid to Saunders Construction in the amount of \$3,181,660 for the Academy Building. This was previously bid in December 2013 and all bids were denied. The bid was reopened in March.

MOTION: Councilmember Bott made a motion to move forward with awarding of the bid to Saunders Construction. The motion was seconded by Councilmember Thompson. Councilmember Bott, Councilmember Rex and Councilmember Thompson voted yea; Councilmember Peterson and Councilmember Jensen voted nay. The motion carried with a 3-2 vote.

The meeting adjourned at 8:35 pm.