

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
May 1, 2025
6:00 p.m.**

PRESENT:	D.J Bott Dave Hipp Matt Jensen Ryan Smith Robin Troxell	Mayor Councilmember Councilmember – <i>joined on Zoom</i> Councilmember – <i>arrived at 6:23</i> Councilmember
ALSO PRESENT:	Mark Bradley Tom Cooper Nicole Cottle Tom Kotter Paul Larsen Derek Oyler Kristina Rasmussen Chad Reyes	City Planner Power Director City Attorney Finance Director Community & Economic Development City Administrator City Recorder Police Chief
EXCUSED:	Dave Jeffries	Councilmember

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

Presentation of Student Citizenship Awards

Mayor Bott presented Lakeview students for outstanding citizenship.

Employee Recognition

Mayor Bott recognized new hires Megan Boyce as a Library Clerk and Charlett Dean as the accounting clerk.

Mayor Bott presented the Mayor's Award to Corporal Matt Knudson for his outstanding leadership and investigative work on a highly sensitive child abuse case that had broad community implications.

CONSENT

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

A list of accounts totaling \$7,433.72 was presented for removal from the City's system due to customers taking out bankruptcy or being sent to collections.

Approval of April 3, 2025 City Council and Work Session Meeting Minutes

Approval to accept the petition for annexation from Duane H Braegger for 169.01 acres located at approximately 300 N and 1700 W

Appointment of Roger Manning, Garl Waldron and Donny Constantineau as Members of the Planning Commission and Isaac Herbert and Vince Crane as alternate members of the Planning Commission

MOTION: A motion to approve the Consent agenda was made by Councilmember Hipp and seconded by Councilmember Troxell and carried unanimously.

SCHEDULED DELEGATION

Presentation by Youth City Council Regarding Swings in Parks and their Annual Report

Youth Council presented their "Swings in Parks" initiative to install more swings in local parks and repair damaged equipment. They also presented the year-in-review slideshow and talked about different things they worked on throughout this last year.

MAYOR'S 2025-26 BUDGET PRESENTATION

Mayor Bott formally introduced the Fiscal Year 2025–26 proposed city budget, emphasizing the amount of time and coordination required to prepare such a financial plan. The Mayor acknowledged that the budgeting process began many months prior, involving numerous meetings, planning sessions, and department-level input. A brief timeline of the budget process was referenced, noting that while it doesn't capture the full intensity of the work involved, it illustrates the sequence leading to the final proposal.

The Mayor confirmed that the city would be proceeding with Truth in Taxation hearings in August, a statutory requirement when property tax increases are proposed. Before then, an interim budget will be presented around the end of June following continued work sessions and departmental reviews.

Major Capital and Infrastructure Projects

A significant portion of the budget focuses on ongoing and upcoming capital infrastructure projects. The Mayor provided updates on several key initiatives:

- **Forest Street Overpass:** Initiated in late 2024, the project began with the undergrounding of vital utilities including stormwater lines, water systems, and electrical infrastructure. Coordination with Union Pacific (UP) continues, especially regarding easements, and progress is steady despite challenges.
- **Penstock Replacement:** One of the two water pipelines running up the canyon was successfully replaced during the previous winter. The second is scheduled for completion in the upcoming off-season (post-irrigation), reducing the flow from two pipes back to one and completing the full system replacement.
- **New Substation at Waterway Lane:** A new electrical substation will be constructed to support the anticipated expansion of the Nucor campus, that will require additional power capacity.
- **Power Line Relocation near Staker-Parsons Gravel Pit:** In accordance with a long-standing agreement from the 1970s or 80s, the city will relocate power lines above the gravel pit, which has since grown substantially in size.
- **KV Loop Completion:** The city completed the KV loop line, ensuring redundant power supply in the event of an outage or line failure. This infrastructure provides flexibility and resilience as the city continues to grow.
- **Substation X-20 Relocation:** This project involves the complete relocation of the X-20 substation from its current site behind Steve's and Sons Doors to a more accessible area along Highway 89.
- **West Forest Power Line Extension:** Designed to serve new residential developments west of the Bear River Bird Refuge, this project will extend electric infrastructure down Watery Lane and into the new community areas.
- **100 South Roadway and Utilities Upgrade:** The city is set to complete the upgrade of utilities and roads along 100 South. These improvements are described as "generational", with new underground utility systems expected to last 60 to 100 years.

Utility Rates and Power Stabilization

The Mayor addressed one of the most anticipated topics of the presentation: utility rates. He began with positive news — due to the city's well-managed Rate Stabilization Fund, the Power Purchasing Adjustment Clause (PPAC) will be set to zero for the 2025–26 fiscal year. The Mayor highlighted that this fund was specifically created to absorb market fluctuations in energy pricing, and it has proven effective.

However, he cautioned that while markets appear to be stabilizing, they are doing so on an upward trajectory, not downward, and future years could require reactivating the PPAC.

The proposed budget includes the final phase of a four-year electric rate increase plan first presented by Mr. Berg three years prior. Rather than imposing a steep rate hike at once, the plan was split into smaller annual increases to reduce the burden on residents and businesses. The 2025–26 rate reflects the final stage of that strategy and applies to all customer classes — residential, commercial, and industrial. A new electric rate study is planned for post-July 2026.

Additionally, the budget includes a \$1.75 monthly increase for recycling services (blue cans), driven by increased operational and contractual costs.

Sales Tax and Transportation Funding

In recent years, state legislation allowed municipalities to collect additional funding for transportation infrastructure. As a result, Box Elder County enacted a quarter-cent sales tax, from which Brigham City now receives a share. Notably, this funding is now authorized for airport infrastructure, a first under the revised law.

The city has completed a thorough internal evaluation of its roadways, with maintenance projects scheduled for the near future.

Fleet Fund Shortfall and Proposed Property Tax Increase

The Mayor then shifted focus to the Fleet Fund, an internal financing mechanism for city vehicle and heavy equipment acquisition. Departments lease vehicles from the fund through annual payments, which are calculated based on the purchase cost and expected lifespan of each asset.

However, due to rapid inflation in fleet costs, the fund now faces a \$450,000 shortfall in the General Fund. To address this, the Mayor proposed a 15% increase in Brigham City's portion of the property tax. The Mayor stressed that this is not a 15% increase to a resident's entire property tax bill — only the portion collected by Brigham City.

Public Safety Investment

The Mayor expressed pride in the city's fully staffed police and fire departments, noting that this milestone has not been achieved in many years. He praised the professionalism of the police department, referencing several successful investigations that extended beyond Brigham City into neighboring communities.

Public safety expenses have grown from \$5.1 million in 2016 to \$12.5 million in the proposed budget — a 148% increase over that time. He emphasized that previous property tax increases were necessary and directly tied to maintaining these essential services.

Budget Overview and Capital Allocation

The total proposed budget for fiscal year 2025–26 is \$110 million, including:

- \$33 million in capital projects
- \$19 million for the Forest Street Overpass and corridor preservation

He clarified that funding for the overpass was allocated by the state legislature, not drawn from local taxes, and has been safeguarded in an interest-bearing account to offset inflation.

The Mayor also proposed maintaining the utility fund transfer to the General Fund at 12%, down from the traditional 15%. This transfer helps support core services and could be reevaluated if sales tax revenues decline during the fiscal year.

Trends in Property Tax and General Fund Subsidies

Using historical charts, the Mayor illustrated property tax trends since 2015. He emphasized that a failure to account for inflation in past years necessitated large increases in 2019. Since then, the city has made an effort to review and adjust taxes annually through the Truth in Taxation process.

One-time exceptions, such as in 2024, were explained — rising home values covered the city’s funding needs, so no additional tax increase was proposed that year.

The Mayor presented data showing a 56% increase in general fund subsidies for key departments over the past decade, driven primarily by rising fleet and public **safety costs**.

Investment in Community Services

The Mayor spoke about continued investment in community services, even amid a tight budget. These services include:

- The Community Center and Meals on Wheels
- Parks and Recreation
- Cemetery operations
- The City Museum
- The Swimming Pool

Conclusion and Handover to Council

In closing, the Mayor presented what he called a balanced and responsible budget, thanking department heads once again for their work and cooperation. He officially handed the proposed budget to Mayor Pro Tem Smith and invited the council to begin scheduling work sessions for further discussion and community input.

The following work sessions were scheduled:

Thursday, May 15, 2025 – 5:00 PM

Topic: Utility Rates

- Focus: Electric utility rates and the end of the 4-year rate adjustment plan.
- Special attention to the removal of the Power Purchasing Adjustment Clause (PPAC), stabilization funds, and pass-through costs like the recycling (“blue can”) fee increase.

Thursday, May 22, 2025 – 6:00 PM

Topic: Public Safety + Fleet Fund

- Focus:
 - Rising costs in police and fire services (noted 148% increase since FY 2016).
 - Strain on the fleet fund and a \$450,000 general fund shortfall.

June Work Sessions will be set at the May 22nd Work Session to discuss the proposed 15% increase in Brigham City's portion of the property tax.

- Focus:
 - The proposed property tax increase to fund public safety and fleet shortfalls.
 - Waiting on final Box Elder County Assessor data to determine the actual increase.

PUBLIC HEARING

1 Public Hearing For the Community Development Block Grant – Second Public Hearing

SECOND CDBG PUBLIC HEARING

MINUTES OF BRIGHAM CITY CORPORATION SECOND CDBG PUBLIC HEARING

PUBLIC HEARING HELD AT 20 N MAIN, BRIGHAM CITY UT 84302 ON MAY 1, 2025 AT 7:10 PM

The Brigham City Corporation second CDBG public hearing was held on Thursday, May 1, 2025, in the Brigham City, City Council Chambers, 20 N Main, Brigham City Utah 84302, Public Hearing commenced at 7:10 PM.

Present: Mayor and Councilmembers Present: Mayor DJ Bott, Councilmember Ryan Smith, Councilmember Dave Hipp, Councilmember Robin Troxell, Councilmember Matt Jensen (zoom)

Other City Employees Present: Tom Kotter, Finance Director; Derek Oyler, City Administrator, Tom Cooper, Power Director; Mark Bradley, City Planner; Paul Larsen, Community and Economic Development Director, Police Chief Chad Reyes, Kelly Andrew, Facilities Manager

City Recorder: Kristina Rasmussen

City Attorney: Nicole Cottle

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING:

Mayor Bott welcomed Paul Larsen, the Community and Economic Development Director, to present the Community Development Block Grant. Mr. Larsen stated this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2025 Community Development Block Grant Program. The city has amended its capital investment plan and decided to apply for funds on behalf of the Brigham City Community Center and Senior Center located at 24 N 300 W in Brigham City. Mr. Larsen introduced the Brigham City Facilities Manager, Kelly Andrew, as the project manager. Mr. Larsen explained that the application was successful in the regional rating and ranking process and Brigham City Senior Center Concrete Replacement Project was awarded \$200,000 of CDBG funding. Mr. Larsen explained the project to those in attendance. Mr. Larsen then asked for any comments, questions and concerns from the council to which there were none.

Motion: Councilmember Hipp made a motion to open the public hearing for the Community Development Block Grant. The motion was seconded by Councilmember Smith and carried unanimously.

There were no public comments.

Motion: Councilmember Smith made a motion to close the public hearing on the Community Development Block Grant. The motion was seconded by Councilmember Hipp and carried unanimously.

There was no further discussion or questions from the council.

The hearing was adjourned at 7:15 PM.

PUBLIC COMMENT

Paul Larsen – mentioned that Idle Isle Café just had it's 104th anniversary making it the oldest continuously operating restaurant in the state of Utah.

Juliana Larsen – complimented the Youth City Council on their presentation. She also asked about how community input is weighted during public hearings.

COUNCILMEMBER COMMENTS

Councilmember Hipp – recognized the alignment between the budget presentation and the youth recognitions earlier in the meeting and emphasized planning for the future and supporting youth.

Councilmember Smith – shared insights from attending the Utah League of Cities and Towns conference. He also shared takeaways from the Governor's Nuclear Energy Summit.

Councilmember Troxell – Highlighted a recent meeting with the Utah Main Street Program and expressed enthusiasm for downtown revitalization efforts. She also praised the Youth City Council for their involvement and service-oriented projects. Councilmember Troxell encouraged community participation in upcoming budget work sessions, especially around budget topics, noting the need for greater public awareness and input.

Mayor Bott – commented on Brigham City's efforts to become more self-reliant with utilities, especially power and water and having long-term stability. Thanked the councilmembers for supporting council meetings despite personal challenges.

ACTION ITMES

Consideration of Ordinance Amending Lot 5R, Wayneco Subdivision Phase 1, Located at 1372 West 300 North

Mark Bradley explained that when Lot 5R was originally platted, a restriction note was added to delay development due to a nearby wetland area. Since then, the developer, JT Excavating, has submitted plans to proceed with construction, prompting a request for a plat amendment.

The amendment included the dedication of a roadway extension (1450 West) and the inclusion of utility infrastructure improvements to support new development on the parcel. As part of this process, a temporary turnaround was also proposed to meet fire access requirements. Mr. Bradley noted that the Fire Marshal had reviewed the proposal and found the turnaround acceptable for emergency vehicle access.

There was a brief discussion among the councilmembers to confirm the environmental constraints, the layout of the parcel, and compliance with city code and safety standards. Councilmembers expressed appreciation that development could proceed without impacting the sensitive wetland area and that the infrastructure would align with long-term growth plans in that area of the city.

Motion: Councilmember Smith made a motion to adopt the Ordinance amending Lot 5R, Wayneco Subdivision Phase 1, located at 1372 West 300 North. The motion was seconded by Councilmember Troxell and carried unanimously.

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

Councilmember Troxell Aye

Consideration of Resolution to Withdraw Brigham City Corp from the Bear River Water Conservancy District

Mayor Bott presented a resolution proposing that Brigham City formally withdraw from the Bear River Water Conservancy District, citing decades of minimal benefit to the city despite significant taxpayer contributions.

He reported that since 1996, Brigham City residents have paid over \$5.3 million in property taxes to the district, while receiving only one recorded benefit — a \$5,000 contribution in 2003. Mayor Bott clarified that this issue is about organizational inefficiency, not individual board members or staff, and emphasized the city's ability to manage its own water resources.

Brigham City has independently invested approximately \$52 million into its water system, including acquisition of water rights and infrastructure improvements. A professional engineering assessment confirmed that the city has adequate water to serve all current and future residential buildout areas, including potential annexations. The mayor stated that remaining in the district no longer serves the city's best interests.

City Administrator Derek Oyler reinforced the city's long-standing frustration with the lack of equitable return on investment. He noted multiple failed efforts to collaborate on capital projects, despite Brigham City's willingness to participate and even offer land. A recent proposal to fund infrastructure near future annexation areas was withdrawn by the district, further highlighting the misalignment.

Mr. Oyler also shared that Brigham City currently wholesales water to the district under contract, and that service to residents outside city limits (such as those along Highway 38) will continue until the contract expires. In the event of annexation, existing infrastructure would be acquired through negotiated purchase agreements, consistent with past practice.

Councilmembers expressed support for the resolution, noting that the city has made every reasonable attempt to work with the district over the years.

Councilmember Troxell criticized the fairness of Brigham City subsidizing other parts of the county while receiving no projects in return. Councilmember Jensen described the situation as a long-standing imbalance his support for withdrawal and redirecting those tax dollars to the city's own needs.

- **Motion:** Councilmember Hipp made a motion to approve the Resolution to withdraw Brigham City Corp from the Bear River Water Conservancy District. The motion was seconded by Councilmember Troxell.

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

At 7:56 PM a motion was made to by Councilmember Smith to move into a closed session to discuss pursuant to one or more of the provisions of the Utah Open and Public Meetings Act 52-4-205(1). The motion was seconded by Councilmember Hipp and carried out unanimously.

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

At 10:03 the meeting returned to open session. Councilmember Smith made a motion to adjourn. The motion was seconded by Councilmember Hipp and carried out unanimously.

Roll Call:	Councilmember Troxell	Aye
	Councilmember Smith	Aye
	Councilmember Jensen	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 May 1, 2025 City Council Meeting.

Dated this 16th day of May, 2025.

Kristina Rasmussen

Kristina Rasmussen, City Recorder

** These meeting minutes were generated with the assistance of artificial intelligence and have been reviewed, edited and approved by Brigham City Staff.