

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
July 17, 2025
6:00 p.m.**

1	PRESENT:	D.J. Bott	Mayor
2		Dave Hipp	Councilmember
3		Dave Jeffries	Councilmember
4		Matthew Jensen	Councilmember
5		Ryan Smith	Councilmember
6		Robin Troxell	Councilmember

7	ALSO PRESENT:	Mark Bradley	City Planner
8		Tom Cooper	Power Director
9		Nicole Cottle	City Attorney
10		Tom Kotter	Finance Director
11		Paul Larsen	Community and Economic Development Director
12		Derek Oyler	City Administrator
13		Tyler Pugsley	Assistant City Administrator
14		Kristina Rasmussen	City Recorder
15		Chad Reyes	Police Chief
16		Brandon Thueson	Fire Chief

17 Mayor D.J. Bott called the meeting to order at 6:00 p.m. The invocation was offered by Councilmember
18 Jensen. The Pledge of Allegiance followed, led by Councilmember Jeffries.

19 **CONSENT AGENDA**

20 The Mayor introduced five consent items:

- 21 1. Request to write off utility accounts due to bankruptcy or being sent to collections.
- 22 2. Request to write off library accounts due to being sent to collections.
- 23 3. Approval of the June 5, 2025, City Council Meeting Minutes.
- 24 4. Appointments of Tiffany Bellingham and Mike Adams to the Library Board.
- 25 5. Request for approval of poll workers and the polling place for the upcoming primary election.

26 Councilmember Jensen made a motion to approve all consent items as presented. Councilmember
27 Smith seconded the motion. The vote was unanimous in favor.

28 **EMPLOYEE RECOGNITION**

29 Mayor Bott invited Fire Chief Brandon Thueson to the podium to administer the oath of office to new
30 department personnel.

31 Chief Thueson introduced Assistant Chief Jeremy Poppleton, who has served in multiple roles during his
32 tenure, including engineer, captain, administrative battalion chief, and now assistant fire chief. The Chief
33 expressed his confidence in Assistant Chief Poppleton's leaders. City Recorder Kristina Rasmussen
34 administered the oath of office, followed by a badge-pinning ceremony performed by Assistant Chief
35 Poppleton's wife.

36 Assistant Chief Poppleton then introduced the department’s two new paramedics, Katie Stocks and Alex
37 Munoz. He spoke of their compassion, professionalism, and readiness to serve the community. Both
38 were sworn in and participated in badge-pinning ceremonies.

39 **PUBLIC HEARING**

40 **Consideration of Ordinance Adopting Compensation Increases for Executive Municipal Officers**

41 Finance Director Tom Kotter presented the first public hearing regarding proposed compensation
42 increases for executive municipal officers. Mr. Kotter explained that due to recent changes in state law,
43 cities are now required to hold public hearings on compensation for municipal officers, including the
44 mayor, city administrator, and department directors.

45 The proposed increase is a 2.5% cost-of-living adjustment, matching the tentative FY26 budget. Mr.
46 Kotter described the city’s process of comparing salaries with other Utah municipalities. He noted that
47 finding direct comparisons can be difficult because of Brigham City’s unique service portfolio—such as
48 its owners of power generation and water utilities—which few other cities manage at this scale. He
49 specifically mentioned the challenges in comparing the duties of Tyler Pugsley, who serves as both the
50 Public Works Director and Assistant City Administrator.

51 Mr. Kotter stated that while some cities across Utah are providing up to 7% increases, others are
52 providing none, with many also implementing merit-based raises. Brigham City’s 2.5% increase is
53 intended to balance fairness with fiscal responsibility.

54 Councilmember Jensen moved to open the public hearing. Councilmember Jeffries seconded. All voted
55 in favor.

56 **Public Comments:**

57 No members of the public came forward to speak.

58 Councilmember Jensen then moved to close the public hearing. Councilmember Hipp seconded. Motion
59 carried unanimously.

60 Following the closure of the hearing, Councilmember Hipp made a motion to adopt the ordinance
61 approving the compensation increases for executive municipal officers as presented. Councilmember
62 Troxell seconded.

63 **Roll Call Vote:** Hipp – Aye; Jeffries – Aye; Jensen – Aye; Smith – Aye; Troxell – Aye

64 **Consideration of Ordinance Expanding the Corporate Limits of Brigham City by Annexation for 169.01**
65 **Acres at Approximately 300 North and 1700 West**

66 City Planner Mark Bradley presented the second public hearing, regarding the annexation of 169.01
67 acres located at approximately 300 North and 1700 West. Mr. Bradley explained that this area had been
68 an “island” created by a previous annexation. The new proposal would incorporate additional land,
69 leaving only a small remainder parcel still in the county.

70 Maps of the annexation area were displayed. Mr. Bradley noted that later in the meeting, the Council
71 would consider zoning assignments for the annexed properties. He confirmed that the annexation
72 meets all state requirements.

73 Councilmember Smith moved to open the public hearing. Councilmember Hipp seconded. All voted in
74 favor.

75 **Public Comment** - Juliana Larsen, a Brigham City resident, asked for clarification that the annexation
76 would not impact the use or conditions of her property. Mr. Bradley confirmed this was correct.

77 Councilmember Smith moved to close the public hearing. Councilmember Jeffries seconded.

78 Councilmember Smith then made a motion to adopt the ordinance expanding the corporate limits of
79 Brigham City by annexing the 169.01-acre parcel. Councilmember Jeffries seconded.

80 **Roll Call Vote:** Jensen – Aye; Jeffries – Aye; Troxell – Aye; Smith – Aye; Hipp – Aye

81 **PUBLIC COMMENTS**

82 There were no public comments.

83 **COUNCILMEMBER COMMENTS**

84 **Councilmember Troxell** - expressed her gratitude for the fire and police departments.

85 **Councilmember Smith** - referenced a recent KSL article highlighting Brigham City as one of four Utah
86 communities recognized with a Main Street Award for its façade grant program. He noted this program
87 has had a significant positive impact on the downtown area.

88 **Councilmember Jensen** - acknowledged the 93 emergency service calls received over the July 4th
89 holiday weekend. He encouraged citizen engagement and praised community-driven projects, such as
90 recent pedestrian safety improvements on Third North and Main, which originated from resident
91 suggestions.

92 **Councilmember Hipp** - echoed the importance of citizen involvement, highlighting that some of the best
93 ideas start with individuals willing to approach city government. He also thanked staff for their open-
94 door approach and emphasized the importance of respectful collaboration.

95 **Mayor Bott** - concluded councilmember comments by expressing his appreciation for both the Council
96 and City staff. He remarked on the collaborative nature of their work, including the Council's willingness
97 to challenge ideas and staff's commitment to thorough, independent dialogue.

98 **CITY ADMINISTRATOR REPORT**

99 City Administrator Derek Oyler provided a comprehensive update:

- 100
- The city continues to focus on securing long-term power resources. The peaking power plant is nearing finalization of its air permits, expected in the next month.
 - The bridge construction project is progressing, though a few utility issues delayed work briefly.
 - Street maintenance is underway across the city.
 - Construction on First South is scheduled to begin within the next few weeks.
- 101
102
103
104

144 Mr. Lester spoke to the Council about the purpose of the ordinance, emphasizing its goal to balance the
145 rights of property owners with the community's need to reduce light pollution, particularly to protect
146 views of the night sky and minimize impacts on the Bear River Migratory Bird Refuge. He acknowledged
147 that the ordinance was not a full "dark sky" ordinance but represented a practical and achievable
148 standard for Brigham City.

149 Councilmembers engaged in a robust discussion. Councilmember Jeffries voiced concern about process
150 transparency, noting he was unaware of the committee's efforts prior to the June meeting and felt the
151 public had limited opportunity to weigh in. He stated he had spoken with residents but found little
152 community knowledge of the issue.

153 Councilmember Troxell expressed support for the ordinance but advocated for specific protection of the
154 refuge's west side and suggested minor language changes regarding flagpole exemptions. Mr. Bradley
155 and the City Attorney clarified that the ordinance allows for properly illuminated flags, aligning with
156 federal guidelines.

157 City Administrator Oyler added context, noting that the city regularly receives complaints from residents
158 living near commercial properties where unshielded lighting trespasses onto residential lots. He
159 explained that the new ordinance would not require retrofits of existing fixtures but would apply to new
160 installations and significant remodels. Enforcement would be complaint-driven and focused on whether
161 fixtures were shielded, rather than using light meters.

162 After discussion concluded, Councilmember Smith moved to approve the ordinance amending Chapter
163 156 to create Section 156.361 Outdoor Lighting Standards, amend Section 156.447 Site Access and
164 Lighting Plan Required, and remove Section 156.460 Lighting. Councilmember Hipp seconded the
165 motion.

166 **Roll Call Vote:** Smith – Aye; Troxell – Aye; Jeffries – Nay; Hipp – Aye; Jensen – Aye

167 **Consideration of Approval of Façade Grant at 20 South Main Street**

168 Paul Larsen, Community and Economic Development Director, presented a façade grant application
169 submitted by Malone Molgard for the property located at 20 South Main Street.

170 Mr. Larsen provided a brief history of Brigham City's façade grant program, noting that it has been in
171 place since 1992. The program has awarded approximately \$384,000 in grants, leveraging over \$1.3
172 million in private investment to revitalize downtown properties. He mentioned that Brigham City's
173 program has become a model for other Utah communities, some of which have adopted similar
174 initiatives.

175 The grant for 20 South Main will fund improvements to enhance the appearance of the property,
176 building on prior renovations partially funded through earlier façade grant support. The project aligns
177 with the city's goals for downtown beautification and historic preservation.

178 Councilmember Smith moved to approve the façade grant for 20 South Main Street. Councilmember
179 Jensen seconded. The motion passed unanimously.

180 **Consideration of Resolution Amending Electric Rates**

181 Finance Director Tom Kotter presented a resolution proposing adjustments to Brigham City's electric

182 utility rates for Fiscal Year 2025–26. Mr. Kotter began by providing background on the city’s municipal
183 electric system, emphasizing that Brigham City is a fully self-sustained power provider, sourcing
184 wholesale energy and maintaining local infrastructure for distribution.

185 Mr. Kotter explained that the proposed rate increase is necessary due to several financial pressures:

- 186 • **Rising wholesale power costs**, driven by regional market volatility, transmission constraints, and
187 fuel costs.
- 188 • **Operational expenses**, including maintenance of power lines, substations, and equipment.
- 189 • **Capital investments**, particularly the continued development of Brigham City’s peaking power
190 plant, which, once completed, is expected to reduce peak-hour purchasing costs and provide
191 energy independence during high-demand periods.

192 He clarified that the proposed adjustments had been discussed in detail during the FY26 budget
193 workshops and were disclosed publicly at that time. The adjustments apply to both residential and
194 commercial customers but are designed to spread the increase equitably across user classes.

195 Mr. Kotter noted that Brigham City continues to offer some of the most competitive electric rates in the
196 state, even with the proposed increase. He emphasized that the changes are intended to maintain
197 system reliability while minimizing impacts to residents.

198 Councilmember Smith asked if the peaking plant would eventually offset the increased costs from the
199 regional power market. Mr. Kotter responded that the peaking plant is anticipated to stabilize costs in
200 the long term but acknowledged that construction and permitting costs are part of current financial
201 considerations.

202 **MOTION:**

203 Councilmember Jensen moved to approve the resolution amending Brigham City’s electric rates as
204 presented and updating the wording on the bill from “Customer Service Fee” to “Base Electric Fee”.
205 Councilmember Jeffries seconded the motion.

206 **ROLL CALL VOTE:** Hipp – Aye; Jeffries – Aye; Jensen – Aye; Smith – Aye; Troxell – Aye

207 **Consideration of Resolution Amending Utility Rates – Green Waste and Recycling Programs**

208 Finance Director Tom Kotter presented the item, explaining that although the resolution was titled
209 "Amending Utility Rates," the specific discussion focused on Brigham City’s curbside green waste (green
210 can) program and curbside recycling (blue can) program. He clarified that both programs are part of the
211 city's broader utility resolution, hence the general title.

212 Green Waste (Green Can) Program

213 Mr. Kotter provided background on the city's green waste collection:

- 214 • Brigham City currently offers three curbside waste programs:
 - 215 ○ Black can – General household waste (landfilled).
 - 216 ○ Blue can – Recycling (outsourced to Econo Waste since 2017).
 - 217 ○ Green can – Green waste (yard and garden waste), operated by Brigham City.

218 • The green waste program originally supported the city's composting operation at the waste
219 treatment facility. However, due to the high volume of green waste now received directly at the
220 Green Waste Facility, the curbside green waste program is no longer necessary for compost
221 production.

222 Mr. Kotter explained that there are approximately 1,500 green can customers, each paying \$4.13 per
223 month. However, because the program operates seasonally (April–October), for the rest of the year
224 residents can use the green can as a second garbage can at the subsidized green waste rate. This
225 effectively provides discounted extra trash capacity during the winter months, saving residents money
226 but creating an imbalance in the program's costs.

227 Mr. Kotter highlighted the operational impacts of the current program:

- 228 • During green waste season, the city must operate a third garbage truck, requiring additional
229 fuel, maintenance, and labor costs.
- 230 • Eliminating the curbside green waste program would reduce wear and tear on the fleet, extend
231 the life of existing trucks, and delay the need to purchase a fifth garbage truck (estimated at
232 over \$600,000) and hire additional staff.

233 He also clarified that eliminating the curbside green can service would not close the Green Waste
234 Facility. Residents could continue to haul green waste to the facility themselves at no cost.

235 Council Discussion – Green Waste

236 Councilmembers discussed potential impacts on residents. Councilmember Jeffries pointed out that
237 most of the 1,500 green can users would likely need a second garbage can if the green program is
238 eliminated, resulting in higher monthly costs for those residents. He acknowledged the program's
239 subsidization but raised concerns about the financial impact on citizens.

240 Finance Director Kotter explained the city had considered alternatives, including:

- 241 • Keeping the green can curbside service but raising its price to match the black can rate
242 (currently \$10.20/month with tipping fees).
- 243 • Setting a participation threshold of 1,000 users to determine viability—if participation drops
244 below that, the program could be retired.

245 Councilmember Troxell asked about increased landfill tipping fees if green waste is converted to
246 garbage. Mr. Kotter responded that the city does not anticipate a significant increase because tipping
247 fees are already collected through the black can program and the cost of a second can helps offset any
248 additional tonnage sent to the landfill.

249 Contamination in the green waste stream was also discussed. Mr. Kotter stated that much of the
250 material collected curbside is contaminated with garbage, resulting in loads being landfilled anyway
251 after being transported to the Green Waste Facility.

252 Public Works Director Tyler Pugsley provided historical context, noting the green can curbside program
253 began over 25 years ago to encourage composting participation. However, the Green Waste Facility is

254 now self-sufficient without household green waste, and in fact, often has an overabundance of material.
255 This has led to stockpiling and operational challenges.

256 Councilmember Troxell emphasized the importance of community outreach, suggesting that the city
257 educate residents about green waste options before eliminating services. Mayor Bott and staff
258 acknowledged prior attempts to gather resident feedback, including outreach to a committee of green
259 can users. Despite invitations, only one resident attended.

260 Recycling (Blue Can) Program

261 Finance Director Kotter then reviewed the blue can recycling program, operated under contract with
262 Econo Waste since 2017. The city is at the end of its first 3-year renewal term. Econo Waste provides the
263 service under a five-year contract with options to renew for two additional three-year periods. The
264 current renewal deadline is early August.

265 Key program statistics:

- 266 • Approximately 2,844 customers participate.
- 267 • Monthly fee: \$7.75 per household.
- 268 • In June 2025, 24 tons of recyclables were contaminated, resulting in the materials being
269 landfilled at an additional cost of \$4,900 for tipping and trip fees.

270 Mr. Kotter explained that contamination remains a major issue. While Wasatch Integrated Waste
271 Management Facility accepts Brigham City recyclables and boasts an 87% recycling rate—which is above
272 industry average—the contamination still imposes additional costs.

273 He also noted a significant decline in subscription rates, with about 11% attrition over five years. Each
274 time the rate is increased, participation decreases, making the program less financially viable.

275 Staff recommended raising the blue can rate to \$10 per month to cover actual costs and eliminate the
276 need to subsidize the service with general waste or utility revenues. Mr. Kotter clarified that raising the
277 price would likely cause some customers to drop the service but would align costs with use, ensuring
278 those who want the service pay for it. Val Sanders, representing Econo Waste, addressed the Council.
279 He disputed some of the city's financial figures, stating that Econo Waste handles billing, container
280 provision, and customer service, and that their current contract provides good value.

281 Mr. Sanders offered a new proposal:

- 282 • Reduce the trip charge by \$100 per day, saving the city approximately \$26,000 annually.
- 283 • Remove contract minimums, allowing the city to pay only for actual participants.
- 284 • Offer a one-year contract instead of requiring a three-year commitment.

285 He emphasized that Wasatch Integrated does not charge for contamination loads, and that their facility
286 guarantees proper recycling of accepted materials. Mr. Sanders also warned that eliminating curbside
287 recycling could lead to more waste, more cans needed, and more garbage trucks purchased.

288 Council Discussion – Recycling

289 Councilmember Jeffries expressed concern about the perception of sustainability, noting that
290 eliminating both green waste and recycling could reflect poorly on Brigham City's environmental values.
291 Other councilmembers echoed the need for cost control but agreed that providing citizen choice was
292 important.

293 Councilmember Troxell recommended keeping the blue can program but allowing market forces to
294 guide participation. Councilmember Jensen noted that if the price of recycling rises above the price of a
295 second black can, many residents will choose to opt out, but that decision should be left to the
296 individual households.

297 City Administrator Derek Oyler stressed that the city must avoid setting minimum participation clauses
298 in any future recycling contract, as participation could fluctuate. He recommended a one-year contract
299 to evaluate how residents respond to the price increase.

300 **MOTION:**

301 Councilmember Hipp made the following motion:

302 "I move that we adopt the resolution amending Brigham City's utility rates with the following actions:

- 303
- 304 • Discontinue the curbside green waste program at the conclusion of the current green
305 waste season (end of October). Residents who wish to retain their green can may
306 convert it to an additional black can at the current second-can rate. If they do not want
307 the additional can, the city will collect and remove it upon request.
 - 308 • Maintain the blue can recycling program for one additional year, subject to negotiation
309 of a one-year contract with Econo Waste with no minimum participation requirements.
310 The monthly rate for the blue can program will be set at \$10 per month to reflect actual
311 costs, eliminate subsidies, and ensure that the program is financially self-sustaining."

311 Councilmember Jensen seconded the motion.

312

313 **ROLL CALL VOTE:** Hipp – Aye; Jeffries – Aye; Jensen – Aye; Smith – Nay; Troxell – Nay

314 **Consideration of Updates to Employee Policy and Procedure Manual, Chapter 11-2: "401(k), 457, and**
315 **Roth IRA Retirement Plans"**

316 Finance Director Tom Kotter presented proposed updates to Chapter 11-2 of the Brigham City Employee
317 Policy and Procedure Manual, specifically concerning employee retirement plan contributions.

318 Mr. Kotter explained that the update aligns the City's retirement contribution limits with the current IRS
319 guidelines and reflects adjustments to employer contributions to maintain competitiveness with other
320 municipalities. The changes include:

- 321
- 322 • Updating the maximum allowable contribution limits for the 401(k), 457, and Roth IRA plans.
 - 323 • Adjusting the City's matching and base contributions to encourage long-term employee
324 retention and ensure Brigham City remains competitive in recruitment efforts.

324 Mr. Kotter noted that offering robust retirement benefits is critical to retaining skilled employees in a
325 competitive labor market, particularly for specialized positions such as public safety, utilities, and
326 administration.

327 **MOTION:**

328 Councilmember Jeffries moved to approve the proposed updates to Chapter 11-2 of the Employee
329 Policy and Procedure Manual regarding 401(k), 457, and Roth IRA retirement plans. Councilmember
330 Smith seconded the motion.

331 The motion passed unanimously.

332 **Consideration of Resolution Requesting Council's Permission to Pause the Bear River Water**
333 **Conservancy District Withdrawal Vote**

334 City Administrator Derek Oyler presented the final action item of the meeting, explaining that the
335 purpose was to consider a resolution requesting the Council's permission to pause Brigham City's
336 withdrawal process from the Bear River Water Conservancy District (BRWCD).

337 Mr. Oyler provided background on the situation:

- 338
- 339 • In May 2025, the Brigham City Council unanimously adopted a resolution requesting that the
340 Bear River Water Conservancy District Board vote to adjust their district boundaries and remove
341 Brigham City from the district.
 - 342 • Per Utah State Code, this withdrawal process requires the Conservancy District Board to pass a
343 resolution calling for a boundary adjustment, hold a public hearing, and vote on the measure.
 - 344 • Following Brigham City's request, Mr. Oyler, Mayor Bott, Finance Director Tom Kotter, Public
345 Works Director Tyler Pugsley, and Councilmember Jensen met with the BRWCD Board at their
last board meeting to present Brigham City's position and concerns.

346 At the conclusion of that meeting, Mayor Bott and Mr. Oyler agreed to bring back to the City Council a
347 request to pause the withdrawal process to allow for further negotiations.

348 Mr. Oyler emphasized that tonight's agenda item was simply fulfilling that promise.

349 **Council Discussion**

350 The Council engaged in an extensive discussion about the history and merits of Brigham City's
351 participation in the Bear River Water Conservancy District.

- 352
- 353 • Councilmember Jensen expressed frustration that Brigham City had been in discussions with the
354 district for over a year without meaningful progress. He questioned why the district would ask
355 for a pause when there had been ample time to resolve issues.
 - 356 • Mr. Oyler clarified that the City's first direct request for project assistance from BRWCD was
357 made six years ago, during contract negotiations for wholesale water to the Harper Ward area.
358 The response from the district at that time was no assistance.
 - 359 • Councilmembers noted that since the city operates its own well-managed and self-funded
360 utility, it rarely asks for help from the district. This is precisely why, Councilmember Jensen
361 argued, Brigham City should not be required to continue contributing property tax dollars to a
district from which it receives no services.

362 **Financial Impact and Taxation**

363 Councilmembers emphasized the increasing financial burden placed on Brigham City residents:

- 364 • Ten years ago, the average property tax levy from BRWCD was \$5 per year.
365 • Today, the rate has climbed to \$50 per year, despite no direct services being provided to
366 Brigham City.

367 The Council asked Mr. Oyler whether the BRWCD had offered any tangible project assistance in Brigham
368 City as part of negotiations. Mr. Oyler confirmed:

- 369 • No specific project funding or commitments were offered.
370 • The district did not propose to help fund a water tank, pipeline, or other infrastructure within
371 Brigham City limits.

372 **MOTION:**

373 Councilmember Jensen made the following motion:

374 “I move that we deny the resolution requesting Brigham City pause its withdrawal request from the Bear
375 River Water Conservancy District. Brigham City’s request for a boundary adjustment should proceed as
376 previously approved, without delay.”

377 Councilmember Smith seconded the motion.

378 **ROLL CALL VOTE:** Jeffries – Aye; Troxell – Aye; Ryan – Aye; Jensen – Aye; Hipp – Aye

379 At 9:30 PM a motion was made to by Councilmember Smith to move into a closed session to discuss
380 pursuant to one or more of the provisions of the Utah Open and Public Meetings Act 52-4-205(1). The
381 motion was seconded by Councilmember Jensen and carried out unanimously.
382

- 383 • Hipp – Aye; Jeffries – Aye; Jensen – Aye; Smith – Aye; Troxell – Aye

384
385 At 10:08 PM the meeting returned to open session. Councilmember Jensen made a motion to
386 adjourn. The motion was seconded by Councilmember Hipp and carried out unanimously.

- 387 • Hipp – Aye; Jeffries – Aye; Jensen – Aye; Smith – Aye; Troxell – Aye

388 *The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing*
389 *is a true, accurate and complete record of the July 17, 2025 City Council Meeting.*

390
391 *Dated this 22nd of August, 2025.*

392
393
394
395 _____
396 *Kristina Rasmussen, City Recorder*

397
398
399
400 ** These meeting minutes were generated with the assistance of artificial intelligence and have been
401 reviewed, edited and approved by Brigham City Staff.