

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
DECEMBER 18, 2025
6:00 p.m.**

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| PRESENT: | DJ Bott | Mayor |
| | Dave Hipp | Councilmember |
| | Matthew Jensen | Councilmember |
| | Ryan Smith | Councilmember |
| | Robin Troxell | Councilmember |

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| ALSO PRESENT: | Tom Cooper | Power Director |
| | Nicole Cottle | City Attorney |
| | Jared Glover | Police Commander |
| | Tom Kotter | Finance Director |
| | Paul Larsen | Community and Economic Development Director |
| | Derek Oyler | City Administrator |
| | Tyler Pugsley | Assistant City Administrator |
| | Kristina Rasmussen | City Recorder |
| | Chief Thueson | Fire Chief |

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| EXCUSED: | Dave Jeffries | Councilmember |
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Mayor Bott called the meeting to order at 6:00 p.m. The invocation was offered by Pastor Sigmon, Rocky Mountain Bible Church. The Pledge of Allegiance followed.

Mayor Bott presented students from Lakeview Elementary with Citizenship Awards.

CONSENT AGENDA

Mayor Bott introduced seven consent items:

1. Approval of the December 4, 2025 Work Session and City Council Meeting Minutes.
2. Request to Write Off Utility Accounts totaling \$6,282.76 due to accounts being sent to collections.
3. Request to Write Off Library accounts totaling \$1,733.89 due to accounts being sent to collections.
4. Approval of 2026 Annual Meeting Notice.
5. Approval of 2026 Holiday Schedule
6. Approval of 2026-27 Claims Review Committee
7. Councilmembers Appointments to Boards and Commissions

Councilmember Troxell made a motion to approve the consent item as presented. Councilmember Hipp seconded the motion. The vote was unanimous in favor.

PUBLIC COMMENT

Daniel Kennedy - thanked the City for its support and partnership with the Christmas Village. He expressed appreciation for the City's role in restoring and maintaining the project, stating that while it may not always seem like the most critical work, it plays an important role in preserving community history and adding value to Brigham City. He thanked the Council and staff for their continued support.

Alexis Rowley - stated that she was speaking on behalf of 83 residents who signed a petition asking the City Council not to approve permits for a nuclear power plant in Brigham City or the surrounding area. She expressed concern about the lack of a national plan for permanent disposal of high-level nuclear waste. Ms. Rowley raised concerns about long-term environmental risks, potential groundwater and soil contamination, and the impact on the Great Salt Lake as it continues to dry. She urged the Council to consider long-term consequences and stated that she does not believe nuclear power is an appropriate solution at this time.

Juliana Larsen - commented on the discussion surrounding Mantua and the possibility of it becoming a state park. She asked the Council to carefully consider the financial implications, including whether the City and community have sufficient revenue to build, maintain, and operate such a facility over time.

COUNCILMEMBER COMMENTS

Councilmember Hipp - expressed appreciation for those who came forward to speak and encouraged more public participation. He noted that while there is limited back-and-forth during meetings, residents are welcome to reach out to Councilmembers outside the meeting by phone, text, or email for clarification or follow-up.

Councilmember Jensen - wished everyone a Merry Christmas and thanked Daniel Kennedy for his significant efforts on the Christmas Village.

Councilmember Smith - wished everyone a Merry Christmas and a happy New Year. He expressed gratitude for public input, noting that topics such as the proposed nuclear power plant and Mantua State Park are still in very early stages and will require many future discussions. He emphasized the importance of weighing both positives and negatives as those conversations continue. He also congratulated the Chamber of Commerce on its new building and encouraged residents to visit the facility.

Councilmember Troxell – wished the community a Merry Christmas and shared her appreciation for the Christmas Village, calling it a beloved community staple. She thanked Daniel Kennedy and the many volunteers involved throughout the year. She reflected on the past year and expressed gratitude for the increased communication with residents, noting that conversations with community members helped her bring questions to City staff and better understand how departments serve the public.

Mayor Bott – expressed excitement for the completion of two major infrastructure projects: the penstock replacement bringing water from Mantua Valley and the new overpass connecting both sides of the city. He described both as generational projects that will serve Brigham City for decades to come. He noted that while many initiatives will take time, the planning and discussion underway now will significantly benefit the community in the future. He expressed optimism for Brigham City's growth and continued progress.

ACTION ITEMS

Consideration of Resolution supporting America250 Utah and Recognizing and Approving of the Brigham City Utah250 Community Committee

Paul Larsen explained that the State of Utah has established a statewide America 250 program, including funding and branding resources for participating communities. He stated that the resolution would formally express the City Council's support for Brigham City's participation. He noted that the proposed local project aligns with plans already underway at the museum and would include a month-long exhibit focused on the U.S. Constitution and Utah's role in its history, along with a related lecture-style event. He added that state program staff have reviewed the proposal and indicated it would be a strong fit.

Mr. Larsen further explained that approval of the resolution would authorize the Mayor to sign a memorandum of understanding and a logo usage agreement, allowing the City to use the official America

250 Utah branding in promotional materials. He clarified that program funding would be directed toward the museum exhibit and associated activities to help offset costs.

The Mayor expressed excitement about the opportunity, referencing past bicentennial celebrations and encouraging a “go big” approach for 2026, particularly around annual events such as the Fourth of July.

Motion: Councilmember Smith moved to approve the Resolution supporting America250 Utah and Recognizing and Approving of the Brigham City Utah250 Community Committee. Seconded by Councilmember Jensen and approved unanimously.

Consideration of Interlocal Agreement with UIPA Regarding Sales Tax Distributions

Tom Kotter explained that as part of Brigham City’s agreement with the Utah Inland Port Authority (UIPA), specifically within the Golden Spike project area, state code requires the Utah State Tax Commission to remit sales tax generated within the project area to UIPA. He noted that this was not the original intent of the City’s agreement, which focused on property tax and tax increment financing, but a change in state law necessitated an interlocal agreement to address sales tax.

Mr. Kotter stated that under the proposed agreement, any sales tax remitted to UIPA from businesses located within the project area would be returned to Brigham City. He clarified that this applies only to businesses located within the UIPA project boundaries, not all businesses citywide, and provided Brigham Implement as an example. He also noted that the timing of the remittance would be similar to existing arrangements, with funds returned to the City within a few weeks.

Council asked clarifying questions regarding which businesses were affected and the timing of the sales tax flow, and Mr. Kotter confirmed the process and timeframe.

Motion: Councilmember Troxell moved to approve the Interlocal Agreement with UIPA Regarding Sales Tax Distributions. Seconded by Councilmember Hipp.

Roll Call:

Councilmember Hipp – Aye; Councilmember Jensen – Aye; Councilmember Smith – Aye;
Councilmember Troxell – Aye

Consideration of Ordinance Repealing Renumbering and Enacting the Brigham City Code Title I General Provisions

Nicole Cottle explained that the Council previously held a work session on the City Code reorganization and that staff elected to move forward with Title I only at this meeting, with Title II to follow early next year after additional police-related updates. She emphasized that the proposed ordinance does not include policy changes, but instead focuses on cleanup, clarification, consistency, and logical reorganization of existing provisions.

Ms. Cottle described the process, noting that affected sections are first repealed and then reenacted in a clearer, renumbered format. She highlighted that Title I establishes foundational elements of the City Code, including the City’s incorporation, classification, form of government, the City seal, rules of construction, and general penalties for ordinance violations.

Ms. Cottle further explained that each new section includes references to prior code sections to preserve historical context and allow users to trace the origin of ordinances. She noted that a reference matrix was provided as a Council-only “cheat sheet” to show how old code sections correspond to the new numbering, with similar matrices planned for future titles.

The Mayor and Council commented on the value of retaining historical references within the code, noting that this “genealogy” helps explain why certain ordinances exist. Ms. Cottle added that if approved, the

ordinance would be sent to the City's code publisher for online publication and would be available in the interim under "pending codification" on the City Code website.

Motion: Councilmember Hipp moved to approve the Ordinance Repealing Renumbering and Enacting the Brigham City Code Title I General Provisions. Seconded by Councilmember Jensen.

Roll Call:

Councilmember Hipp – Aye; Councilmember Jensen – Aye; Councilmember Smith – Aye;
Councilmember Troxell – Aye

DISCUSSION ITEMS

FY 2024-25 Audit Presentation

Tom Kotter thanked Council and shared appreciation for his administrative/finance staff, noting the audit process takes significant work—especially with recent retirements and newer staff learning roles. He also thanked the audit firm, Keddington & Christensen, and specifically Marcus and Ben for their responsiveness and support throughout the process.

Mr. Kotter explained that the City's financial statements provide an overview of Brigham City's financial health and are separated into governmental activities (tax-supported services) and business-type activities (customer-fee supported funds such as utilities, storm drain, and internal service funds like vehicle and building maintenance). He described net position as the City's "net worth," explaining it is calculated as assets minus liabilities and is a key measure of financial health. The Mayor clarified for the public that figures shown are presented in thousands.

Mr. Kotter noted the City's net position increased from approximately \$139.5 million the prior year to about \$163 million this year, attributing key drivers to grants and other funding opportunities secured through department efforts and partnerships. He reviewed general fund activity, noting public safety remains the largest general fund expenditure, and public works was higher this year due to major projects including the bridge. He also discussed revenue stability, highlighting property tax as a reliable and consistent source compared to more variable sales tax.

Mr. Kotter reviewed fund balance categories—restricted, committed, and unassigned—and explained how unassigned fund balance functions like a reserve for emergencies and unexpected needs. He stated City funds remain healthy and emphasized the City's practice of evaluating projects based on long-term fund health and cash impacts. He also reported that Brigham City received the Government Finance Officers Association (GFOA) Financial Reporting Certificate for the 39th consecutive year. He then turned the time to the auditors.

Marcus Arbuckle, with Keddington & Christensen, thanked the Council and explained that auditors report key items to "governance," identifying the Council's role in overseeing financial reporting while management remains responsible for the financial statements. He stated the audit was performed under generally accepted auditing standards and government auditing standards.

Mr. Arbuckle reported the auditors issued an unmodified ("clean") opinion on the City's basic financial statements and footnotes. He then summarized the internal controls report, explaining that while the audit does not provide an opinion on internal controls, the firm evaluates controls related to financial reporting (cash receipts/disbursements, payroll, reconciliations, financial close, and separation of duties). He reported no recommendations, stating controls were adequate.

Mr. Arbuckle explained the single audit requirement for entities spending more than \$750,000 in federal funds (noting the threshold increases to \$1,000,000 next year). He summarized that the City had multiple major federal programs tested and reported no findings, stating the City was in compliance with grant

requirements. He also reviewed the state compliance testing areas and reported no instances of noncompliance.

He added there were no significant difficulties during the audit, no uncorrected misstatements, and no indications of fraud identified through audit procedures. He thanked Mr. Kotter and staff for their preparation and responsiveness.

The Mayor clarified for the public that Keddington & Christensen are independent auditors, not City employees, and were procured through the City's procurement process. Council and the Mayor offered public thanks to Mr. Kotter and his staff for the extensive work involved in audit preparation, noting it spans from roughly August through just before Christmas.

A Councilmember asked how much of the audit report is available publicly. Mr. Kotter confirmed the entire report is public, will be uploaded to the State Auditor's website, and the City will link to it from the City's website for transparency.

Mantua State Park

The Mayor opened the final discussion item regarding the potential for Mantua Reservoir to be designated as a Utah State Park, and invited Tom Kotter and Public Works Director Tyler Pugsley to present.

Tyler Pugsley explained that discussions with Utah State Parks are very preliminary and focused on exploring possibilities. He reviewed why Mantua matters to Brigham City, emphasizing its role in the City's broader water system—providing culinary water, irrigation, power generation support, and emergency management/flood control. He stated that regardless of whether it becomes a state park, Brigham City will continue to protect the reservoir as a critical resource and would not pursue a state park designation simply for convenience.

Mr. Pugsley explained that the City is essentially operating Mantua like a state park already, but Brigham City taxpayers are bearing the burden for improvements, maintenance, staffing, and amenities. He cited budget figures showing approximately \$6,500 in projected boat-launch revenue compared to expenditures exceeding \$164,000 for the next budget year. He also noted staff time devoted to Mantua is substantial and can exceed the equivalent of a full-time position. He reviewed a list of functions currently supported by Brigham City (such as restrooms, trails, trash/refuse, boweries, boat ramps/docks, recreation management, and addressing algal blooms), while emphasizing that water operations and water rights would remain with Brigham City under any scenario.

Mr. Pugsley showed a map outlining the area, noting Brigham City owns the majority of the property—over 1,400 acres when including the reservoir—with one identified area under separate ownership. He explained that if an agreement were developed, it would return to the City Council for consideration.

City Administration emphasized that this is strictly a discussion item and explained that if pursued, it would involve a lease of City property, not a transfer of ownership. Administration also noted that lease negotiations are legally permitted in closed session under state law, which is why some early conversations occurred that way. They stated the City's core principle is that water use and control will not be jeopardized and will remain under Brigham City control regardless of any lease.

Administration explained the primary reasons the City is exploring the concept: expanding recreation opportunities without continuing to place the full cost on Brigham City taxpayers, transferring some recreation-related liability and operational burden, and leveraging the state's capacity and resources for upgrades and amenities. They acknowledged that becoming a state park could introduce entry fees, but noted Brigham residents already subsidize current access through local taxes.

Council discussion and questions included:

- Whether the state would maintain trails and assume liability for recreation areas (staff indicated yes, and that the state would carry associated liability).
- Law enforcement and emergency response issues under the current arrangement (staff noted long-standing jurisdiction confusion because the reservoir is outside Brigham City limits; a state park designation could simplify enforcement through state park operations).
- Access for private landowners and road access (staff stated existing access agreements would remain and would need to be honored; public access would be controlled through designated points).
- Whether Brigham City would retain a say in changes or improvements (staff stated Brigham City would remain involved in decisions affecting the reservoir and water resource, and would retain the ability to develop existing and future water resources).
- Potential for state partnership to help address algal blooms and possibly dredging, with staff indicating the state has discussed exploring options and may have additional funding sources to pursue improvements.
- Usage tracking (staff reported approximately 6,800 water-based users, but trail use is difficult to quantify due to multiple access points and open shoreline access; they referenced increased use during the period Willard Bay was closed and a notable local bike race and school participation on the trails).
- Typical state park fees (staff cited approximately \$125 annually for a pass and roughly \$25 for a day-use entry, noting vehicle limits apply).

Council emphasized the importance of transparency and public involvement, requesting future work sessions and broader public input before decisions are made. City Administration agreed, stating that once the City is comfortable with draft terms, the process would shift into broader public meetings and discussion. Staff reiterated that no deal is finalized and negotiations are ongoing.

At 7:37 PM Councilmember Smith made a motion to proceed into closed session to discuss the purchase/exchange/lease of real property and pending litigation. The motion was seconded by Councilmember Jensen.

Roll Call:

Councilmember Hipp – Aye; Councilmember Jensen – Aye; Councilmember Smith – Aye;
Councilmember Troxell – Aye

At 8:38 PM The council returned to opened and a motion was made by Councilmember Jensen to adjourn. Seconded by Councilmember Smith and approved unanimously.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the December 18, 2025 City Council Meeting.

Dated this 16th of January, 2026.

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.