

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
December 3, 2015**

|               |                       |   |
|---------------|-----------------------|---|
| PRESENT:      | DJ Bott               | Councilmember                           |
|               | Alden Farr            | Councilmember                           |
|               | Ruth Jensen           | Councilmember                           |
|               | Tom Peterson          | Councilmember                           |
| ALSO PRESENT: | Joseph Bach           | Fire Chief                              |
|               | Mark Bradley          | City Planner                            |
|               | Mary Kate Christensen | City Recorder                           |
|               | Paul Larsen           | Economic Development Director           |
|               | Kristy Law            | Community Activities & Services Manager |
|               | Bruce Leonard         | City Administrator                      |
|               | Mike Nelsen           | Police Chief                            |
|               | Tyler Pugsley         | Public Works Director                   |
|               | Jason Roberts         | Finance Director                        |
| EXCUSED:      | Tyler Vincent         | Mayor                                   |
|               | Mark Thompson         | Councilmember                           |

Ruth Jensen, as Mayor Pro Tem, conducted the meeting in Mayor Vincent's absence. She excused Mayor Vincent and Councilmember Thompson who were out of town. The Reverence Period was given by Br. David Madsen of the LDS 25<sup>th</sup> Ward. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the November 19, 2015 Council meeting was made by Councilmember Farr, seconded by Councilmember Bott and unanimously approved as distributed.

Mayor Pro Tem Jensen said on November 29, 2015, a 32-year-old woman fell through the ice at Mantua Reservoir in an area where there are no homes nearby. The area is at the backside of the reservoir and is gated off to motor vehicles. She was attempting to rescue her dog when she fell through the ice. She was in icy water for about five minutes before Thomas Braithwaite, a Brigham City employee, was making his daily rounds to check the reservoir and saw her. He immediately called 9-1-1. The woman was extremely lucky. At this particular day Mr. Braithwaite was making his rounds two hours later than normal because he was ill. Even though he was not feeling well, he was focused on his duties and was alert to his surroundings. Although Mr. Braithwaite was not in attendance because he was working on a water break, Mayor Pro Tem Jensen commended him for his quick actions and dedication to Brigham City Corporation. He also commended first responders, Mantua Police Officer Brad Nelsen and UHP Officer Josh Carr; the Brigham City Ambulance Team, Sterling Wright and Russ Menlove; the Brigham City Fire Department Team, Jerry Estep, Tom Peterson, Roman Pantoja and Chief Joseph Bach.

A more formal recognition will be made at a later date.

**AGENDA**

**RECOGNITION OF EMPLOYEES**

New Hires in Water Department and Ambulance Department

## **PUBLIC COMMENT**

Ordinance Approving Annexation of Property Located at 2340 West Highway 13  
Resolution Transferring Property at 120 North Main to the Brigham City Redevelopment Agency

## **CONSENT**

Request Approval of 2016 Holiday Schedule  
Request Approval of 2016-17 Claims Review Committee  
Request Approval of 2016 Boards and Commissions Annual Meeting Schedule  
Appointment to the Advisory Council on Aging  
Re-Appointments to the Recreation and Parks Commission

## **NEW BUSINESS**

Annual Pool Report  
Request Approval of Ordinance Amending the Zoning Map to Assign a Zoning District (General Commercial) Associated with an Annexation Petition Located at 2340 West Highway 13  
Discussion on Potential Lease of a Parcel of Property at Pioneer Park to Verizon Wireless

## **PLANNING COMMISSION**

Consider Approval BW Subdivision Located at 240 South 400 West

## **RECOGNITION OF EMPLOYEES**

### **New Hires in Water Department and Ambulance Department**

Chad Akin was recently hired in the Water Department. The following individuals were hired as part-time Paramedics: Jordan Rowley, Alex Breton, Dustin Tiner, Chad Francom, and Travis Allred.

## **PUBLIC COMMENT**

Paul Roberts, Brigham City - Mr. Roberts recently read that there was a presentation to the Council concerning the future compliance requirements of the sewer plant. He said the City should do more than just meeting the next increment of required treatment at the minimum cost until the next increment comes along. He recommended changing the thinking of a waste treatment plant. Instead of considering the operation as a necessary burden, think of it as a resource recovery plant. These resources could be organic fiber, cellulose, fertilizer components, etc. There are also processed byproducts, such as methane. Also micro byproducts, such as fuel hydrocarbons, special oils and various chemicals. Water could also be a byproduct.

Lee Johnson, Brigham City - Mr. Johnson said he has noticed that the quality of the tap water has been more consistent and tastes better. Whatever the Water Department has been doing with chlorination or treatment, it has been good. He discussed the fall of the Roman Empire. The history books have changed since the 1950s.

DeAnna Hardy, County - Ms. Hardy told the Council that they think it is their responsibility to provide activities for the youth to keep them out of trouble. This is not true. The proper role of government is to keep the community safe. If the Brigham Rotary wants to build a splash pad, then they should do it privately and charge those that want to use it. It is not right to go through the government where every citizen will be forced to pay for the splash pad whether they use it or not. Little children are happy to run through their own home's sprinkler system where the homeowner pays for the water that is used. She also discussed an analysis on

Utah's most free cities, with number one be the most free and number 50 being the least free. Brigham City was #20.

### COUNCILMEMBER COMMENTS

Councilmember Bott - There was a ribbon cutting at the Utah State Building this week. It will be a great asset to the City.

### PUBLIC HEARING

Councilmember Farr recused himself from any discussions or voting with the property on West Highway 13 because he knows the property owner. Also, on the transfer of property, he may have a personal interest.

#### Ordinance Approving Annexation of Property Located at 2340 West Highway 13

Ms. Christensen and Mr. Bradley came to the table. Mr. Bradley explained that this property meets the requirements for annexation and has gone through the required noticing

Ms. Christensen state that there have been no protests received. She explained that this is the last step in the annexation process. Once the ordinance is approved, she will send it to the Lt. Governor's Office who will review it and send a Certificate of Annexation upon approval.

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

Paul Roberts, Brigham City - Mr. Roberts asked if this annexation is to obtain a water connection. Mr. Bradley replied that the primary purpose is for a sewer connection, but they will be required to connect to the City water service. When the electric infrastructure is developed, they will be connected to City power.

Mark Walker, Brigham City - Mr. Walker owns property adjacent to this property. He stated that he is not opposed to the annexation. He has talked to City staff regarding annexation of adjacent properties as well. He was told that if a request was submitted, they would be granted the same opportunity to be annexed.

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

**MOTION:** Councilmember Peterson made a motion to approve the ordinance approving the annexation of property located at 2340 West Highway 13. Councilmember Bott seconded the motion. A roll call vote was taken:

Councilmember Bott - aye  
Councilmember Farr - abstained  
Mayor Pro Tem Jensen - aye  
Councilmember Peterson - aye

The motion passed with a 3-0 vote.

**Resolution Transferring Property at 120 North Main to the Brigham City Redevelopment Agency**

Mr. Larsen came forward and stated that this is the Brady Property located at 120 North Main. This was donated to the City in 1995. This resolution would transfer the property to the Redevelopment Agency.

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

**MOTION:** Councilmember Bott made a motion to approve the resolution transferring the property located at 120 North Main to the Brigham City RDA. Councilmember Peterson seconded the motion. A roll call vote was taken:

Councilmember Bott - aye  
Councilmember Farr - abstained  
Mayor Pro Tem Jensen - aye  
Councilmember Peterson - aye

The motion passed with a 3-0 vote.

**CONSENT**

**Request Approval of 2016 Holiday Schedule**

The 2016 holiday schedule was presented for approval.

**Request Approval of 2016-17 Claims Review Committee**

This committee includes councilmembers that will review financial claims for 2016-17.

**Request Approval of 2016 Boards and Commissions Annual Meeting Schedule**

A list of the meeting schedule for boards and commissions was submitted for approval. These will be published in the local paper as required by law.

**Appointment to the Advisory Council on Aging**

It was recommended Lil Graves be appointed to the Advisory Council on Aging.

**Re-Appointments to the Recreation and Parks Commission**

Kyle Klein and Ron Papworth were presented for reappointment to the Recreation and Parks Commission, and Jake Johnson was recommended for reappointment as Chair.

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

**NEW BUSINESS**

**Annual Pool Report**

Mr. Alek Raymond came forward and briefed the Council on the swimming pool's 2015 year.

General admission went up this year, despite the cooler weather. The pool was closed five days and closed early several days in August due to poor weather. He felt the increase in admission was due to two sponsor days purchased by the Brigham City Hospital. It was free for any citizen of Brigham City. Staff tracked the attendance and billed the hospital at a reduced rate.

Private parties were down a little. The cost was increased slightly in 2015. They looked at what other pools were charging and Brigham City was a lot lower. Prices were based on the time period they wanted to reserve. For example, it was \$350 in June and \$400 for a weekend in August. Because of these increases, there were fewer private parties. To bring these numbers back up, they proposed closing the pool to the public at 6:00 PM Wednesday through Saturday and do two private parties per night, one at 6:00-8:00 and another at 8:30-10:00. They have looked at the demographics at these times over the last few years and they lose money.

Swimming lessons continue to improve. The number of participants went down a little because they limited the class sizes based on parent/teacher feedback.

Concession stand revenue continues to increase.

Mr. Raymond reviewed proposed new programs for 2016:

- New supervision policy for younger children
- Special "mermaid" swimming lesson classes
- Super senior discount (\$1.00) for those that do not want to swim but want to watch their kids or grandkids

**Request Approval of Ordinance Amending the Zoning Map to Assign a Zoning District (General Commercial) Associated with an Annexation Petition Located at 2340 West Highway 13**

Mr. Bradley explained that this is the zoning for the property annexed with the ordinance approved during the public hearing. Even though this was not part of the City, the City had designated it as a general commercial area. The zone that was petitioned by the owner is a general commercial zone, which is consistent with the general plan.

**MOTION:** Councilmember Peterson made a motion to approve assigning the general commercial zoning for the property located at 2340 West Highway 13. The motion was seconded by Councilmember Bott.

Councilmember Bott - aye  
Councilmember Farr - abstained  
Mayor Pro Tem Jensen - aye  
Councilmember Peterson - aye

The motion passed with a 3-0 vote.

**Discussion on Potential Lease of a Parcel of Property at Pioneer Park to Verizon Wireless**

Mr. Larsen came to the table and stated that Verizon Wireless approached the City regarding potential sites for a cell tower. It was determined the best site would be at Pioneer Park by the railroad fence and the storage bin.

If the Council agrees to lease this property to Verizon Mr. Larsen will work with them on a site plan and a lease agreement.

Councilmember Peterson recommended something other than a chain link fence, possibly concrete panel walls that would look more appealing and keep it more secure than chain link.

**MOTION:** Councilmember Farr made a motion to move forward with the potential lease of a parcel of property at Pioneer Park to Verizon Wireless, seconded by Councilmember Bott and unanimously carried.

### PLANNING COMMISSION

#### Consider Approval of BW Subdivision Located at 240 South 400 West

Mr. Bradley explained that this request is for a parcel of property that is being subdivided into two parcels. There is an existing home that faces 400 West. This is in the R-M-15 zoning districts, with a minimum lot size of 8,000 sq. ft. The applicant wants to establish another lot for a future single family home.

Part of the subdivision process requires improvements, including sidewalk. There is sidewalk along 300 South, but not 400 West.

The Planning Commission recommended approval of the subdivision, supporting that the water and sewer laterals be deferred and installed at the time a building permit is obtained for Lot #1.

The applicant requested a deferral on the sidewalk. However, the Planning Commission recommended no deferral of the sidewalk on 400 West.

The applicant, Brent Wyatt, came to the table.

Councilmember Bott said he agrees with deferring the sidewalk until the City does a district. This would make the sidewalk consistent in that area.

Councilmember Peterson said the City puts money in the budget every year to install sidewalks. He felt that if the property owner is making money on the sale of the lot, the sidewalk should be installed. He did not feel it was every citizen's responsibility to install sidewalks and improve a lot that is going through a subdivision process and making money.

**MOTION:** Councilmember Farr made a motion to approve the subdivision located at 240 South 400 West with the requested deferrals for the utilities as well as the sidewalks. The motion was seconded by Councilmember Bott. Councilmember Peterson said he would like to see the Council stay with the Planning Commission's recommendation. Councilmember Bott, Councilmember Farr and Mayor Pro Tem Jensen voted aye; Councilmember Peterson voted nay. The motion carried 4-1.

The meeting adjourned at 8:10 p.m.