

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
March 17, 2016**

PRESENT:	Tyler Vincent	Mayor
	DJ Bott	Councilmember
	Alden Farr	Councilmember
	Ruth Jensen	Councilmember
	Mark Thompson	Councilmember
ALSO PRESENT:	Joseph Bach	Fire Chief
	Paul Larsen	Community Development Director
	Kirk Morgan	City Attorney
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Manager
	Marge Porter	Deputy City Recorder
	Jason Roberts	City Administrator
EXCUSED:	Tom Peterson	Councilmember

Mayor Vincent called the meeting to order. The Reverence Period was given by Chief Nelsen. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the March 3, 2016 Council meeting and work session was made by Councilmember Thompson, seconded by Councilmember Bott and unanimously approved as distributed.

AGENDA

RECOGNITION OF EMPLOYEES

New Hire, Fire Department

PUBLIC HEARING

Resolution Amending the FY2015-16 Budget to Increase Expenditures for the Academy Building Project

CONSENT

Appointment to the Museum Gallery Board
Reappointment to the Historical Preservation Committee
Appointment to the Museum Gallery Board
Appointment of Chair to the Museum Gallery Board
Appointment to the Golf Course Commission
Appointment to the Recreation and Parks Commission

NEW BUSINESS

Hearing of Director's Report on Abatement of Buildings
Ordinance Repealing the Bicycling Committee Ordinance
Ordinance Repealing the Heritage and Arts Board Ordinance

ADJOURN TO REDEVELOPMENT AGENCY MEETING

RECOGNITION OF EMPLOYEES

Jacob Martin was recognized as a new Firefighter/Paramedic in the Fire Department.

PUBLIC HEARING

Resolution Amending the FY2015-16 Budget to Increase Expenditures for the Academy Building Project

Mr. Oyler approached the Council and explained that this was discussed in detail at the last Council meeting. There were several suggestions on the parking lot at that time. City staff has been working on a different design for the parking lot. He presented two concepts.

Mr. Larsen came forward and explained that one option is designed so that if the City acquired the corner property, the parking lot would be easily expandable. It addresses the ADA access concerns and storm drainage. The drive isles exceed the City standard by approximately five feet. The individual stalls exceed the length requirement by a few feet. It also gives access on 100 North in addition to the one through Zion Bank.

Mr. Oyler said there has been some discussion with Box Elder County regarding donated material, as referred to by Councilmember Peterson at the previous meeting. The City will pursue this if directed to do so by the Council. The numbers presented to the Council do not include this.

Revenue		Expenses	
		Roof Top Pavers	\$ 74,500
General Fund Budget	(\$310,070)	Roof Top Pergola	119,743
Variance		Parking Lot	142,000
		Monument Sign	12,500
		Rain Gutters and Heat Tape	21,500
		Concrete Wall and Landscaping – West Patio	8,000
		Remaining Funding for Project	<u>(68,173)</u>
TOTALS	(\$310,070)		\$310,070

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

Don Dunbar, Brigham City – Mr. Dunbar said after a 3½ year study, he said the City should use eminent domain on the Main Street Church and demolish it, then use the property for more parking for the restaurant. He added that although he was not in favor of how it was funded, the restaurant is superb. The food is excellent. He complimented Mr. Larsen for making this happen.

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.

MOTION: Councilmember Thompson made a motion to approve the resolution amending the 2015-16 budget as presented. The motion was seconded by Councilmember Bott. Councilmember Farr recused himself from the vote due to some interest in the property. A roll call vote was taken:

Councilmember Bott – aye
Councilmember Farr – recused

Councilmember Jensen – nay
Councilmember Thompson – aye

The motion died. This item will be brought forward at the March 30, 2016 special meeting.

CONSENT

Appointment to the Museum Gallery Board

It was recommended Arlene Anderson be appointed as a member of the Museum Gallery Board.

Reappointment to the Historical Preservation Committee

It was also recommended Brad Mortensen be reappointed to the Historical Preservation Committee.

Appointment to the Museum Gallery Board

Jack Small was recommended for appointment to the Museum Gallery Board.

Appointment of Chair to the Museum Gallery Board

It was recommended Kathryn McKay serve as Chair of the Museum Gallery Board.

Appointment to the Golf Course Commission

Jill Christensen was recommended to serve as a member of the Golf Course Commission.

Appointment to the Recreation and Parks Commission

It was also recommended that Brian Walker serve on the Recreation and Parks Commission.

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

NEW BUSINESS

Hearing of Director's Report on Abatement of Buildings

Mr. Oyler came to the table and reported that a letter was sent to the owners of the Merrell Planing Mill. The letter included an itemized account of the expenses incurred by the City on this property.

Date	Description	Amount	Hours	Total Amount
Aug 2015-Feb 2016	Staff Time – 7 employees	Hourly	151	\$ 5,646.94
9/30/15	Engineering Estimates	\$ 102.00		102.00
12/1/15	Questar Meter Removal	300.00		300.00
11/23/15	Title Inspection Report	250.00		250.00
9/29/15	Asbestos Inspection	1,450.00		1,450.00
12/2/15	Asbestos Abatement	4,110.00		4,110.00
11/24/15	Demolition Fee Utah DAQ	75.00		75.00
12/2/15	Contractor Demolition Fees	24,000		24,000
		Grand Total		\$35,933.94

Mr. Oyler stated that the notice of this hearing was in the Box Elder News Journal for two weeks, with the statement that all protests or objections must be in writing and must be delivered to the City Recorder by the time of this meeting. No objections were received.

Mr. Morgan came forward and explained that if the City Council approves these charges, the next step is for the Council to move to order a special assessment be placed on the property. This will act as a lien on the property.

There has been discussion in the past of the owners deeding the property to the City. Mr. Morgan felt this was a good time to approach the owners on whether this will be done or not because once the special assessment is placed on the property, it requires a lot of paperwork to remove it.

MOTION: Councilmember Thompson made a motion to move forward with the abatement costs on the Merrell Planing Mill site with the caveat that the City can accept the deed in lieu of the abatement costs by placing a special assessment on the property, giving the property owner one chance to deed the property to the City in lieu of placing the assessment. The motion was seconded by Councilmember Farr. The motion unanimously carried.

Ordinance Repealing the Bicycling Committee Ordinance

Councilmember Farr recommended keeping the Bicycling Committee intact, because the City is going through the process of developing a new master plan. Part of that process is asking citizens about trails. The Bicycling Committee does not cost the City any money and the members are all volunteers. He preferred to keep the committee, even though they have not been active.

Mayor Vincent said the Chair sent him a text and told him that he helps with Eagle Projects and asked him what direction he should go with this.

Councilmember Jensen said she did not see a problem with dismantling the committee and then getting it back together if needed.

Mayor Vincent said this board has been nonfunctioning for over a year. Staff levels are short, so there have been issues with staff covering these committees. Councilmember Bott asked if the code allows for the Mayor to form a committee if needed. Mr. Morgan said it does. When the Code was recently recodified the committee looked at State law and City law and found that there is no need for an ordinance to set up a committee. It can be done by the appointment of the Mayor. He thought this item was just to repeal the ordinance but keep the committee. As long as the committee does not spend any City funds or does not have a vote that is legally binding, it does not require the City Council to pass an ordinance.

Mr. Larsen said the Chair's concern was whether the City would continue to support work on the Eagle's Rise Trail and the things he has been doing.

MOTION: Councilmember Bott made a motion to repeal the Bicycling Committee ordinance. The motion was seconded by Councilmember Jensen. Councilmember Farr asked that the motion include that the current committee be maintained as needed. Councilmember Bott agreed to add this to his motion.

Councilmember Bott – aye
Councilmember Farr - aye
Councilmember Jensen – aye
Councilmember Thompson - aye

Ordinance Repealing the Heritage and Arts Board Ordinance

MOTION: Councilmember Jensen made a motion to repeal the Heritage and Arts Board ordinance, but that the current committee be maintained as needed, seconded by Councilmember Farr.

Councilmember Bott – aye

Councilmember Farr - aye

Councilmember Jensen – aye

Councilmember Thompson - aye

A motion to adjourn to a Redevelopment Agency was made by Councilmember Bott, seconded and carried.

The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the 3/30/2016 City Council Meeting.

Dated this 31st day of March 2016.

Mary Kate Christensen
Mary Kate Christensen, Recorder