

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
July 7, 2016**

<b>PRESENT:</b>	Tyler Vincent	Mayor
	DJ Bott	Councilmember
	Alden Farr	Councilmember
	Tom Peterson	Councilmember
	Mark Thompson	Councilmember
<b>ALSO PRESENT:</b>	Kelly Andrew	Building Official
	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Paul Larsen	Community Development Director
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Manager
	Tyler Pugsley	Public Works Director
	Jason Roberts	City Administrator
<b>EXCUSED:</b>	Ruth Jensen	Councilmember

Mayor Vincent called the meeting to order and excused Councilmember Jensen. The Reverence Period was given by Bishop Keith Mecham of the LDS 22<sup>nd</sup> Ward. The Pledge of Allegiance was recited.

**Approval of Minutes:** A motion to approve the minutes of the June 16, 2016 Council meeting was made by Councilmember Thompson, seconded by Councilmember Bott and unanimously approved as distributed.

**AGENDA**

**RECOGNITION OF EMPLOYEES**

New Hires in Public Works and Police Department

**CONSENT**

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

Appointment to the Board of Appeals

Reappointment to the Appeal Authority

Reappointments to the Museum Gallery Board

**PUBLIC COMMENT**

**COUNCILMEMBER COMMENTS**

**NEW BUSINESS**

Recommendation on Splash Pad

Report on the Investment Grade Audit

Consideration of Ordinance Regulating Property Acquisition

Consideration of Resolution Exempting an Economic Development Project from Impact Fees

Consideration of Ordinance Amending City Code Section 14.04, Alcohol Establishments and Off Premise Beer Retailers

**ADJOURN TO REDEVELOPMENT AGENCY MEETING**

## RECOGNITION OF EMPLOYEES

### New Hires in Public Works and Police Department

Austin Mankin was recently hired as an Apprentice Mechanic.

Chief Nelsen introduced Matthew O'Brien as a new police officer. He presented Mr. O'Brien with his officer's badge.

## CONSENT

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

A list of accounts totaling \$5,725.96 was presented to be removed from the City's system due to customer taking out bankruptcy or being sent to collections.

### Appointment to the Board of Appeals

It was recommended Jed Larsen be appointed as a member of the Board of Appeals.

### Reappointment to the Appeal Authority

Barbara Poelman was presented to be reappointed to the Appeal Authority.

### Reappointments to the Museum Gallery Board

The following were recommended for reappointment to the Museum Gallery Board: Maryann Jensen, Kathryn MacKay, Carol Dittli, Reese Beeton and Jack Small.

## PUBLIC COMMENT

Tere Moore, Brigham City - Ms. Moore, representing the Brigham City Rotary Club, thanked the Mayor and all those who served on the splash pad task force. She appreciated those who served on the task force, particularly Tyler Pugsley and Kristy Law. They have been kind, open, considerate and very responsive. The task force worked together really well without opposition. They were open and were able to talk to each other about all concerns and issues. They came to consensus with unity.

## COUNCILMEMBER COMMENTS

Councilmember Farr said the fireworks were great this year and it was a nice 4<sup>th</sup> of July celebration.

Councilmember Thompson reported that the mosquito population is a little lower than last year. There has been West Nile virus found in some mosquitos in Vernal.

Councilmember Peterson said the fireworks show was amazing. He especially enjoyed the music coinciding with the fireworks. He has heard nothing but positive comments about it. The golf course had a service project on hole #8. The water was not making it to the pond. Tuesday night there were 60-70 people show up to help redo the hole.

Mayor Vincent agreed with the comments regarding the 4<sup>th</sup> of July. He hoped the citizens realize how much it takes to put on an event like this.

## NEW BUSINESS

### Recommendation on Splash Pad

Brit Simcox displayed a concept of the splash pad proposed by the task force. It includes only the water fountain, no aboveground features. The task force decided on this based on maintenance, cost and less overall requirements from City staff.

Donations have been received from multiple organizations. They currently have \$64,000 in donations. They anticipate more donations will come in once the splash pad has been approved and the location has been confirmed.

The factors in determining the location were user-friendly and easy upkeep and maintenance with existing City staff, as well as available parking, existing utility lines, access, safety, possible conflict with sporting events, low residential traffic and community needs. Based on these factors, the task force determined that the best location would be Playground Park. In addition, they felt this park will provide the necessary shade, enough room to expand for a bowery and restroom facilities, close proximity to downtown, utility infrastructure is available, no competition from sports activities, low traffic area, plenty of parking, and safer than some of the facilities they looked at. This location has support of City staff, the donors, the Main Street Historic Downtown Group, the Rotary Club and the Ladies Community Club.

The style they chose can operate off an existing water distribution system. It will also cut down on infrastructure and construction costs. The water would flow into the existing water collection system. The water needed to operate the splash pad is estimated to be the same amount needed for 9-10 residential homes, or 500,000 gallons of water per month.

Mr. Pugsley explained the need for a bowery and restroom. Playground Park is currently the only City park without restrooms, so something will need to be done eventually regardless of the splash pad. It could be a smaller unisex restroom. He estimated something like this would be \$60,000. If something nicer is done he estimated \$100,000.

Mr. Pugsley continued that once the site location is approved, staff can move forward with getting hard numbers and deciding on a design.

Councilmember Bott, as a member of the task force, encouraged approval of Playground Park. He felt it was a good compromise. The Rotary requested it be at Constitution Park, but are supportive of Playground Park.

**MOTION:** Councilmember Thompson made a motion to accept the recommendation of the Splash Pad Task Force for placement of a splash pad at Playground Park. Councilmember Bott requested the motion also include instructions to staff to move forward with further plans for completion of the splash pad.

**AMENDED MOTION:** Councilmember Thompson amended his motion to include direction to staff to move forward with further plans for completion of the splash pad. The motion was seconded by Councilmember Bott. The motion unanimously carried as amended.

### **Report on Investment Grade Audit**

Mr. Oyler and Mr. Andrew came forward. Mr. Andrew explained that this audit was to look at Brigham City facilities and make them more energy efficient. There are only a certain number of qualified companies in the State of Utah. All bidders were required to attend a pre-bid meeting. Two contractors attended that meeting; only one submitted a bid. They bid \$30,105.36.

One of the largest buildings included in the audit would be the waste treatment plant. This plant has to be upgraded within two years to meet state requirements, so staff did not think auditing this building was a good use of City funds.

Mr. Andrew met with the bidding contractor about the price. He was told that this was the set price, no matter how many buildings are included.

Mr. Oyler said staff has discussed this project and other projects that need to be done. Staff was concerned that there would be enough manpower to complete this project in a timely manner. Staff recommended this project be put on hold until after the GO bond election in November.

Mr. Oyler said the HVAC at City Hall desperately needs to be replaced. He asked for Council's approval to move forward with the bid process for the HVAC and roof at City Hall. Once the bid process is completed, he will return to the Council with a firm cost. There is money budgeted in the facility fund balance in prior years' budgets for this project. He would have to return to the Council with a budget revision.

The Council agreed with staff's recommendation to postpone the investment grade audit until after the November election and authorized them to move forward with bidding procedures for the HVAC and roofing for City Hall.

### **Consideration of Ordinance Regulating Property Acquisition**

Mr. Roberts approached the Council and explained that this ordinance is required if the City wants to apply for corridor preservation funding at the county. A portion of the money received from vehicle registration is put in a fund that can be used for acquiring right-of-way for significant transportation corridors within the county. The City has identified some projects that qualify for these funds.

**MOTION:** Councilmember Peterson made a motion to approve the transportation corridor property acquisition ordinance. The motion was seconded by Councilmember Bott.

Councilmember Bott - aye  
Councilmember Farr - aye  
Councilmember Peterson - aye  
Councilmember Thompson - aye

The motion unanimously carried.

**Consideration of Resolution Exempting an Economic Development Project from Impact Fees**

Mr. Larsen came to the table and stated that this is for the project known as Project Straw. State Code and the City Code allows for exemption of impact fees if it serves a broad public purpose and another source is identified to replace the impact fees. The impact fees could be taken from a portion of the tax increment from the project. The estimate for the impact fees is estimated at \$1,038,000. The tax increment would pay this over a 20-year period. However, the storm drain fee is approximately \$500,000 of this and they could design the project so it would be almost nothing.

**MOTION:** Councilmember Bott made a motion to approve the resolution exempting an economic project from impact fees. The motion was seconded by Councilmember Bott. Councilmember Peterson asked if this will revenue neutral for Brigham City. Mr. Roberts said when the development agreement comes to the Council it will have the timing of it. It could be 1-20 years. The Council is basically approving whether or not to use this as a negotiation tool.

Councilmember Bott - aye  
Councilmember Farr - aye  
Councilmember Peterson - aye  
Councilmember Thompson - aye

The motion unanimously carried.

**Consideration of Ordinance Amending City Code Section 14.04, Alcohol Establishments and Off Premise Beer Retailers**

Mr. Larsen said this section of the City Code was the same as the State Code, but since it was written the State Code has changed and the City Code was not updated. As staff reviewed this, they felt that the State regulates alcohol and the City Code should cover the City's role in licensing and enforcement.

**MOTION:** Councilmember Thompson moved to approve the ordinance to amend Section 14.04, Alcohol Establishments and Off Premise Beer Retailers, seconded by Councilmember Bott. A roll call vote was taken.

Councilmember Bott - aye  
Councilmember Farr - aye  
Councilmember Peterson - aye  
Councilmember Thompson - aye

The motion unanimously carried.

**ADJOURN TO REDEVELOPMENT AGENCY MEETING**

A motion to adjourn to a Redevelopment Agency meeting was made by Councilmember Bott, seconded by Councilmember Farr and carried unanimously. The adjourned to an RDA meeting at 8:32 p.m.

The Council returned to a regular Council meeting at 8:33 p.m.

### ADJOURN TO CLOSED SESSION

A motion to adjourn to a closed session to discuss the character, professional competence, or physical or mental health of an individual was made by Councilmember Farr. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 8:33 PM.

The Council returned to an open meeting at 9:21 PM and adjourned.

*The undersigned duly appointed Recorder for Brigham City Corporation hereby certifies that the foregoing is a true, accurate and complete record of the July 7, 2016 City Council Meeting.*

*Dated this 21st day of July, 2016.*

*Mary Kate Christensen*  
*Mary Kate Christensen, Recorder*