

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
February 21, 2019**

PRESENT:	Tyler Vincent DJ Bott Alden Farr Ruth Jensen Mark Thompson	Mayor Councilmember Councilmember Councilmember Councilmember (<i>via teleconference</i>)
ALSO PRESENT:	Joseph Bach Rick Bosworth Mary Kate Christensen Mike Christiansen Nancy Green Paul Larsen Chris Marx Mike Nelsen Derek Oyler Tyler Pugsley Jason Roberts Kristy Wolford	Fire Chief Human Resource Coordinator City Recorder City Attorney Senior Center Manager Community Development Director Golf Professional Police Chief Finance Director Public Works Director City Administrator Community Activities & Services Director
EXCUSED:	Tom Peterson	Councilmember

Mayor Vincent called the meeting to order. The Reverence Period was given by Bishop Jay Anderson of the LDS 10th Ward. The Pledge of Allegiance was recited.

AGENDA

MAYOR'S STATE OF THE CITY ADDRESS

CONSENT

Appointment to the Advisory Council on Aging
Reappointments and New Appointments to the Golf Course Commission
Recommended Changes to the Employee Policy and Procedures Manual Regarding Employee Retirement for Tier II Part-Time Employees

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

ACTION ITEMS

Request Approval of Resolution and Agreement with Professional Pickleball Tours to Purchase the Rights to the Tournament of Champions Pickleball Tournament

ADJOURN TO CLOSED SESSION

MAYOR'S STATE OF THE CITY ADDRESS

Mayor Vincent thanked those in attendance for their support.

"I am grateful for the opportunity the citizens have given me to be the Mayor of this amazing City. I was born and raised in Brigham City and have a vision for the continued success and growth of our City. The City Council and I work together on tough issues. Sometimes we have disagreements, but in the end we make decisions which we feel are in the best interest of all citizens."

“The City was approached by Teri Moore on behalf of the Rotary Club with the idea to construct and install a splash pad in the City. After several months of discussion, the idea was approved by the City Council and John Adams Park was chosen as the site. Teri spent many hours obtaining donations for the splash pad. Construction began in mid-May followed by a ribbon cutting ceremony on August 14th. This addition to our community has been well received. Families bring their lunch or dinner, watch their children play in the water, and enjoy another place to play in Brigham City.

“Work is being done at Eagle Mountain Golf Course to install a new state of the art irrigation system using secondary irrigation water. This will replace the system that was installed when the golf course was built.

“The Mayor and City Council Members, along with other local elected officials, invited members of the community to come enjoy a free hamburger or hot dog dinner and a concert. These events help to develop the feeling of community that I believe are extremely important.

“My highest priority over the next three years is economic development. We have applied for a Sustainable Design Assessment Team project, known as SDAT, to help us identify a vision for what North Main Street can be. Our application was accepted, and we will be starting on this project with an initial visit in early March. Following completion of the SDAT project, we will work with Tom Christopulos, architect of Ogden City’s remarkable turnaround, to identify and move forward with the SDAT vision.

“We have also been working with the landowners and developers of the Brigham Crossing project located near the intersection of 1100 S. and 1100 West. This is an exciting project that will include a mixture of housing, offices, and commercial space. We believe that this project will set the standard for future development of 1100 South and other parts of Brigham City.

“We continue to value the health of our beautiful downtown. We have worked for many years to improve the downtown district and make it more attractive for small business owners to locate their businesses, and for residents and visitors to spend time and money.

“Historic Downtown Brigham City has successfully established the Brigham City Farmer’s Market, the monthly Third Friday Live events, the Academy Fine Arts Show, and other activities. We will continue to work closely with them and support their efforts.

“Brigham City also offers events like the Brigham City Arts Festival, Peach Days, the Tour of Utah, and other activities that make downtown Brigham City the place to be.

“In the last year, Brigham City’s Museum has:

- Received and catalogued more than 100 new works of art, artifacts, and specimens.*
- Curated six new temporary exhibits on subjects of art and history.*
- Welcomed visitors from all Northern Utah counties.*
- Been promoted in several specialty publications.*
- Completed 80% of the cataloging of the permanent collection.*
- Worked towards accreditation, earning certificates in multiple categories.*
- Changed hours to better serve our patrons.*

“In 2018 the Brigham City Recreation Department received the Utah Jazz Award for highest participation growth with a 20% increase. They also received the Outstanding Department award from Utah Recreation and Parks Association. We have seen a lot of pickleball participation growth and have added a new tournament and more divisions to the existing tournament. Brigham City Recreation is proud to offer a wide variety of sport programs and activities for our Community.

During the summer, undercover observers come to the Brigham City pool to evaluate the lifeguards and staff as part of an overall audit of the facility. This year we received a perfect five-star rating. This is an overall reflection of the amazing pool staff. At the beginning of the summer lifeguards are certified in professional response and rescue techniques. They continue training throughout the summer to ensure proper response to different incidents that may happen at the pool.

The Brigham City Senior Center continues to provide a wide variety of services to citizens 60 years and older. These services work to help get people out of their homes and interacting with others. The Brigham City library offers a lot of different activities, events and contests throughout the year. Along with author panels and book signings, patrons were introduced to quilting, musical talents of local artists, the wonders of nature and much more. The library staff works hard all year to bring fun-filled learning activities to our community.

“Over the last six months, our staff has worked to turn the Academy Center around. Numerous events continue to occur at the Academy, and these events bring more and more people downtown. We will continue to improve, and we believe that the future of the Academy is bright.

“Our IT Department produced a new website: bcutah.org. This new website addressed design limitations and increased the ability to use cell phones to access information.

“A new work order system is being developed. It allows us to unify our work management, assets and GIS into one application. This will also pave the way for true online permitting and licensing as well as Citizen engagement.

“Continuation of our power system is an important part of the growth of our community. Improvements have been completed on the southwest substation that will benefit businesses and homes in the area. The new West Forest substation is up and running to serve existing users and make future economic development in the area more attractive.

“The Brigham City Municipal Airport frequently meets with the Federal Aviation Administration to go over project priority and Airport needs. We are excited to announce that over the Spring and Summer of 2019 we will be completing an Apron Pavement Rehabilitation project that will replace the badly damaged asphalt apron on the south end of the Airport property. The total budget of this project is \$496,000 of which \$473,000 is being covered by a federal grant from the FAA.

“The Water Division is currently working on a major project replacing the water line that runs under the Mantua Reservoir which was originally installed in the early 1960s. This line collects drinking water from our springs and one well located on the east side of the reservoir. The project is scheduled for completion in May of 2019.

“Throughout the year crews report areas within the City that need crack sealing. During the fall and spring street crews can be found repairing cracks in the asphalt.

“Also, all roads are assessed for remaining surface life and are overlayed with asphalt to prolong their life. There were 2.6 miles done across the City in 2017-18.

“Each Spring the City sets aside a week for residents to dispose of items that may be too large to put in their garbage cans. This has been a popular event. This year spring cleanup starts March 30th and ends April 7th.

“It has snowed a lot this year. Currently, snow crews have used one thousand eight hundred and twenty-eight tons of salt at a cost of eighty-one thousand dollars.

“The Brigham City Waste Water Treatment Plant has been preparing for an upgrade as a result of new DEQ requirements. All facilities across the State have been required to bring Phosphorous levels down on the water leaving their treatment plants. Brigham City has been setting aside monies over the past two budget years to take care of this issue and is in the final design and planning stages for this project. The total anticipated costs to complete this upgrade is 2.3 million dollars.

“The Facilities Department worked with contractors to replace the 1973 heating and cooling system at City Hall. The new system is energy efficient and does a better job regulating the temperature of the building.

“We have also done an upgrade to the Public Works offices to increase security and keep employees safe.

“We responded to 2,633 emergency calls, of those 57 were fires. The estimated property loss totaled \$657,000. Unfortunately, three citizens lost their lives in fires this past year. The mental health of our first responders is very important to me. We have trained two members of our department so they can support the mental health of our emergency responders. This is the first step to help first responders after a very traumatic emergency call.

“We made significant strides to improve our Public Education program with the Children’s Firefighter Challenge and more than 53 public education events that include station tours, school presentations and Fire Station open houses. Personnel spent more than 64 hours educating our citizens about fire and medical safety.

“Fulltime Driver/Engineers now staff our fire engines. These staff members have improved the safety and efficiency of our emergency response.

“We ordered a brush truck that will be equipped to meet the special demands of deploying on wildland fires in our own area as well as when we are called on to help other communities.

“Our department was recognized by the Utah Fire Service Certification System and the Utah Fire and Rescue Academy for receiving high scores on the training level of our staff.

“As mayors, we all worry about our employees and our police and emergency services personnel. We hope and pray that they are all cautious and careful as they perform their duties. In November, Brigham City suffered a great loss. Assistant Police Chief Dennis Vincent passed away. I never thought that I, not only as Dennis’s brother but also his boss, would have the unfortunate opportunity to stand here tonight and express the loss we experienced last October when, during his physical fitness test, he had a brain aneurism and passed away. He loved Brigham City and served citizens of our community faithfully. He was a friend to all. He was so proud to wear his badge and loved his department. He told me many times how proud he was of them. I have great confidence in our police force to continue to do a great job and carry on his legacy.

“Through the heartache and suffering of the Vincent family, the Police Department and City staff, we were comforted by the outpouring of love, prayers and support expressed by the community which we love. We are so grateful for Brigham City and the love we have one for another. As your Mayor, I am so grateful to be associated with such fine people who care and love one another.”

CONSENT

Appointment to the Advisory Council on Aging

It was recommended Susan Behring be appointed to the Advisory Council on Aging.

Reappointments and New Appointments to the Golf Course Commission

It was also recommended Mike Killpack, Dan Coburn, Jill Christensen and Todd Cordner be reappointed to the Golf Course Commission. It was also recommended Phil Jeppsen and Sean Hales be appointed to the same Commission.

Recommended Changes to the Employee Policy and Procedures Manual Regarding Employee Retirement for Tier II Part-Time Employees

This change reverts the retirement benefits to full time employees only.

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

PUBLIC COMMENT

Alan Campbell, Brigham City – Mr. Campbell owns the Golden Spike RV Park. He discussed the proposed resolution and agreement with Professional Pickleball Tours. He did not see how the taxpayers benefit from this agreement. All the benefits are to Mr. Gullo or the players. Last year before the Tournament of Champions, participants started calling the RV Park and making reservations. Mr. Gullo called and asked what perks were available for him. He demanded that they provide him a free site for the week. Mr. Campbell told him they were booked. Mr. Gullo sent him an email cancelling everyone's reservation. Mr. Campbell emailed all those with reservations and told them their reservations had been cancelled. Some of them stayed at another RV Park, but many came back and stayed at Golden Spike. Mr. Campbell received various complaints about the players. He compared it to Spring Break, with a lot of loud noise and drinking. He was concerned with the single-sided benefits in the contract. He did not see any benefit to Brigham City that is measurable or quantifiable.

Juliana Larsen, Brigham City – Ms. Larsen said the agreement with Mr. Gullo states that Brigham City will purchase the tournament for 10% of the fees collected and \$5,000-7,500 per year for 20 years. The contract states that the agreement will promote the "*general welfare of the residents.*" It goes on to say that Brigham City agrees to build five to eight additional pickleball courts at Pioneer Park, supply power, build west side seating surrounded with shade structures. This will all be done by 2020. There is nothing in the agreement that states where the money for this will come from. Every year Brigham City must ensure that the prize pool will be a minimum of \$52,000 per year. Brigham City staff will also have to staff the tournament. She asked if this means additional personnel will have to be hired. It will also cost to maintain the additional courts. She has listened to the Council struggle to find money for infrastructure, roads, powerlines, etc. Things that are needed. Where is the City going to get an additional \$52,000 per year? All this will also require more parking. She said it doesn't seem practical to expand to the west. They have been approached several times about donating property to the City. This will not happen.

DeAnna Hardy, County – Ms. Hardy said she is not against pickleball, but she is against the government being involved in recreation. It should be run by private enterprise. She spoke against the proposed ordinance punishing owners whose properties generate frequent calls for public safety services. She felt this would deter hotel owners calling for help. The motel in question is used to transition those who have been in jail. It is unfair to hold these owners responsible for what their guests may do. Freedom means personal responsibility, not to have the heavy hand of the government. Big government controlling private business is not the correct course. The third tier states that locations "*must hold employee crime preventative training by the Police Department.*" She said this is more government control interfering with private businesses. It further states that they will "*prohibit alcohol consumption in public areas.*" At the last Council meeting, the City Council chose to permanently allow the sale of alcohol at special events at Watkins Park and the Academy Conference Center. A private hotel owner will not be allowed to have alcohol, but the City will allow alcohol at public venues? This is a double standard. The Academy Center and restaurant should be sold so the citizens do not have to subsidize it.

COUNCILMEMBER COMMENTS

Councilmember Jensen attended the Library Board Meeting where they agreed to move forward with a new website. She attended the Box Elder Employer Committee. There will be a seminar on April 18, 2019 about the Northern Utah economy. She also attended the Box Elder Economic Development Agency wherein they discussed the 150th Golden Spike Celebration. They are trying to encourage citizens to clean up their yards and the outside of their homes. They expect a lot of visitors to the county.

Mayor Vincent visited with the State Legislators regarding the West Forest train tracks. Representative Joe Ferry is sponsoring a bill that could alleviate the railroad crossing the tracks so frequently and for long periods of time. He attended the Bear River Water Conservancy Board meeting. This year should be a good water year.

ACTION ITEMS

Request Approval of Resolution and Agreement with Professional Pickleball Tours to Purchase the Rights to the Tournament of Champions Pickleball Tournament

Mr. Roberts and Ms. Wolford came to the table. Mr. Roberts said the Tournament of Champions is one of three major tournaments in the United States. It has one of the top two purses.

The cost to keep the tournament in Brigham City would be 10% of player fees with a \$5,000 minimum and \$7,500 maximum over the next ten years. This assumes the tournament will remain sanctioned as one of the major national tournaments. It is expected there will be a minimum of \$50,000 in entry fees. Last year there was over \$50,000 collected. In addition, there is significant money for advertising that has been committed by three major providers of pickleball products. It is expected this will be in the \$10,000-\$30,000 range.

Mr. Roberts continued that the agreement also states that the City will build 5-8 new courts. Realistically, there would be one championship course and another set of 4-6 courts, probably west of the current courts. The championship court would have to be built on the east side. This would take up some parking, and parking would have to be extended south. These courts would not need lighting. There are other tournaments that would use the courts, such as the regionals.

There have been some preliminary talks with local construction companies that might be interested in participating in the construction of the courts like they did with the first courts. If that happens, it would cost approximately \$20,000 per court. Mr. Roberts estimated shade structures would be approximately \$20,000. He estimated a monument showing past championships would cost \$10,000. There would need to be power outlets for vendors. This could be done by the Power Department and would be minimal. Mr. Pugsley estimated additional parking would cost \$40,000.

Ms. Wolford said this tournament is growing and people are anxious to participate. When online registration opens up for this tournament, it fills within the first few minutes. Last year they turned away approximately 250 last year. If the City adds five more courts, the participants will increase as well as the revenue approximately 20-25%.

Mr. Christiansen said comments back and forth are ongoing. There are issues with some ongoing awards which will continue as they are. This will be at the seller's costs. Mr. Gullo will continue to support and promote the tournament, but not compete against it. A "do not compete" clause is in the agreement, but the language is going back and forth.

Ms. Wolford estimated the tournament would require 3-4 employees at the park during the tournament. They have been manning this tournament already. They have had a large volunteer base that have been assisting for the last three years.

There was discussion on the cost of resurfacing the courts. This information will be brought to a future meeting.

Mr. Roberts said the City received a revision on the agreement at 4:00, which he has not had time to review. He did not recommend approval at this meeting.

MOTION: A motion to table the resolution and agreement was made by Councilmember Bott, seconded by Councilmember Jensen and unanimously carried.

ADJOURN TO CLOSED SESSION

A motion to adjourn to a closed session to discuss the purchase, exchange or lease of property was made by Councilmember Bott, and seconded by Councilmember Jensen. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 8:10 p.m.

The Council returned to an open meeting at 8:41 p.m. 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 February 21, 2019 City Council Meeting.

Dated this _____ day of _____, 2019.

Mary Kate Christensen, Recorder