

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

PRESENT:	Tyler Vincent	Mayor
	DJ Bott	Councilmember
	Alden Farr	Councilmember
	Mark Thompson	Councilmember
	Joe Olson	Councilmember Elect
	Robin Troxell	Councilmember Elect
ALSO PRESENT:	Joseph Bach	Fire Chief
	Mark Bradley	City Planner
	Dave Burnett	Public Power Director
	Mary Kate Christensen	City Recorder
	Mike Christiansen	City Attorney
	Paul Larsen	Community Development Director
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Director
	Tyler Pugsley	Public Works Director
	Kristy Welford	CAS Director
	Mike Young	Fire Marshall
	EXCUSED:	Ruth Jensen
Tom Peterson		Councilmember

Mayor Vincent called the meeting to order and excused Councilmember Jensen and Councilmember Peterson. The Reverence Period was given by Pastor Joe Johnston of The City Church. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the November 7, 2019 Council meeting was made by Councilmember Bott, seconded by Councilmember Thompson and unanimously approved as distributed.

AGENDA

**PRESENTATION OF JIM DAVIS EXTRAORDINARY SERVICE AWARD
APPOINTMENT OF MAYOR'S EXECUTIVE ASSISTANT AND IT DIRECTOR
RECOGNITION OF EMPLOYEES**

New Hires in Community Activities and Services, Fire Department and Police Department

CONSENT

Appointments to the CERT Committee

PUBLIC HEARING

Request Vacation of a Public Utility Easement to Accommodate a Modification to the Proposed Building Addition at 1050 North Watery Lane and Convey a new Easement by Re-Routing the Water Line

SCHEDULED DELEGATION

Bear River Heritage Area Presentation

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

ACTION ITEMS

Consideration of a Development Agreement for the Future Master Planned Street 1550 West through approximately 129 North 1200 West

Consideration of Ordinance Authorizing Dog Licensing Fees be Modified with a Resolution

Consideration of Resolution Updating Dog License Fees, Allowing Purchase of 3-Year License, and Changing the Deadline

Consideration for Approval of Sanctioning Agreement for the Tournament of Champions

Consideration of Property Purchase Contract

PRESENTATION OF JIM DAVIS EXTRAORDINARY SERVICE AWARD

Katie Chase, who nominated Chief Mike Nelsen for this award, came forward and read the write up she admitted. Following is a summary of the nomination.

Chief Nelsen is truly an individual who exemplifies this award and deserves recognition for the service he has performed in the community over many, many years. He has served with the Police Department for over 40 years and has dedicated his life to protecting and serving the citizens of Brigham City. She remembers him leaving in the middle of dinner to go out on a call and hearing the phone ring in the middle of the night and going to work.

Chief Nelsen has a great sense of humor. He can find something to laugh about in the most trying times. He battled cancer a few years ago and never lost hope or stopped working. He remained dedicated to the people he served with and for.

He is always going above and beyond in everything. She remembers him helping a man who locked his keys in his car. It was snowing and cold, but he offered to help him.

She said he works harder than anyone she knows. He goes in early, stays late, volunteers, and never complains. He has always taken care of their family, he loves and cherishes their mom, and has served faithfully in all the positions he has held. He is always going above and beyond in everything. He never complains about working long hours, nights, weekends, or holidays. He sacrifices sleep and relaxation so he can be at every possible event for his kids and grandkids. He taught her through police work and farm work the value of hard work.

Over the course of more than three and a half decades, Chief Nelsen has distinguished himself as one of Utah's most dedicated and reliable supporters of Special Olympics. His enthusiasm shines through in his every interaction with the athletes and their families. His sincere words of encouragement and support have made a lasting impression in the lives of the people he serves.

Year after year, Chief Nelsen dedicates his time and resources to help make the Brigham City Law Enforcement Torch Run a success, raising money for the athletes to participate in Special Olympics. He has recruited his fellow officers, administrative staff, friends and family to be part of the run.

The Chief's continual work toward excellence in police service is a true testament to the purpose set forth in the Jim Davis Extraordinary Service Award. He works each and every day to make life better in our community.

Mayor Vincent presented Chief Nelsen with an engraved clock. His name has been added to the plaque hanging in the Council Chambers.

Mayor Vincent said Chief Nelsen is a very dedicated employee and has been for 40 years. Special Olympics was very special to Chief Nelsen and the Mayor's brother, Asst Chief Dennis Vincent. The past year has been very difficult for the Police Department with the death of his brother. When the Mayor and Chief Nelsen talk about the Department, Chief Nelsen never talks about himself, only the officers and their struggles and feelings due to the loss of their Asst Chief. Chief Nelsen is a very selfless person that never worries about himself. Chief Nelsen was instrumental in getting the park dedicated to Dennis Vincent. He thanked him for everything he has done for their family.

Chief Nelsen thanked the Mayor and Council for their vote of confidence. As he looks back on his career of 40 years, there is only one thing he would change – losing his best friend Dennis Vincent in the line of duty. He expressed appreciation to his family for their support.

APPOINTMENT OF MAYOR'S EXECUTIVE ASSISTANT AND IT DIRECTOR

MOTION: Councilmember Thompson made a motion to appoint the Mayor's Executive Assistant and IT Director. The motion was seconded by Councilmember Bott and unanimously carried.

Ms. Christensen administered the Oath of Office to Royce Wilkerson, IT Director, and Donna Pett, Mayor's Executive Assistant. At the November 7th Council meeting, these positions were added as appointed positions. All appointed positions are given the Oath of Office.

RECOGNITION OF EMPLOYEES

JoAnna Carter was recently hired as a part-time Senior Center Culinary Specialist and Brian Majors was also recently hired as a Firefighter Paramedic.

Chief Nelsen introduced Megan Nicholls as a new Police Officer III. He presented her with her badge.

CONSENT

Appointments to the CERT Committee

It was recommended Kaitlyn Sealy be appointed as coordinator of the CERT Committee and Mike Shoell as the assistant coordinator.

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

PUBLIC HEARING

Request Vacation of a Public Utility Easement to Accommodate a Modification to the Proposed Building Addition at 1050 North Watery Lane and Convey a new Easement by Re-Routing the Water Line

Mr. Bradley approached the Council and stated that in June this property came before the Council for a previous vacation and easement. The property owner re-evaluated the property and realized another section should also be vacated and another easement granted. There have been no opposition from any of the utility companies.

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

MOTION: Councilmember Farr made a motion to approve the vacation of a public utility easement to accommodate a modification to the proposed building addition at 1050 North Watery Lane and Convey a new easement by re-routing the water line. Councilmember Bott seconded the motion, all councilmembers voted aye.

SCHEDULED DELEGATION

Bear River Heritage Area Presentation

Mayor Vincent invited Brian Carver to the table. Mr. Carver explained that the purpose of the Bear River Heritage Area Program is build partnerships to promote and conserve the cultural and historical assets within the region, such as old barns.

They work closely with the Visitor and Tourism Bureaus to help fill a gap in promotional materials to encourage people to visit our communities. Heritage tourism is a billion dollar tourism industry across the country, including international visitors. They have published two self-guided driving tours of historic barns in the area.

They are currently looking into partnering with the National Park Service (NPS) to create a National Heritage Area. They would not be a unit of the National Park Service. It is grant from the NPS. All activities and expenditures of the funds would be overseen by a local entity. It would not give BRAG or the Heritage Area any regulatory authority, taxing authority, or the ability to affect private property owner's use of their property. Neither would it give them authority to modify or override local or state government decision making. It is an agreement between them and the NPS to receive grant money to further technical assistance and grow other programs to use to expand educational information. They also want to invest the money into local communities.

Mr. Carver asked the Council to consider adopting a resolution supporting the designation of the Bear River National Heritage Area. They have been working with Congressman Bishop to get this through Congress.

PUBLIC COMMENT

DeAnna Hardy, County – Ms. Hardy was recently reminded of a story about two great warriors. They were fighting a battle and wrote to the governor and asked why they had not received any provisions or military support. The governor wrote back and apologized and said king men had taken over the government and had done a lot of damage, so he was unable to send them any support. Ms. Hardy said this is happening in our government. There are king men as representatives. The people need to learn and understand U.S. history and step forth and save the country from within.

COUNCILMEMBER COMMENTS

Mayor Vincent attended the Boys and Girls Club board meeting. Leaf collection is winding down. The citizens of Brigham City are blessed to have this service. Brigham City is one of a very few that provide this service.

ACTION ITEMS

Consideration of a Development Agreement for the Future Master Planned Street 1550 West through Approximately 129 North 1200 West

Mr. Bradley and Mr. Larsen came to the table. Mr. Bradley stated that the development agreement is a condition of the permitted use permit application. The agreement allows the deferral of the future road master plan at 1550 West and outlines the history of that. It lists three trigger events that will require that the improvement be done and the document recorded with the property.

MOTION: Councilmember Bott moved to approve the development for the future master planned street 1550 West through approximately 129 North 1200 West. The motion was seconded by Councilmember Thompson and carried unanimously. The motion unanimously carried.

Consideration of Ordinance Authorizing Dog Licensing Fees be Modified with a Resolution

Mr. Oyler approached the Council and stated that this change removes the portion regarding the timing of licensing and adds language that this will be done by resolution.

MOTION: A motion to approve the ordinance authorizing dog licensing fees be modified with a resolution was made by Councilmember Thompson, seconded by Councilmember Bott.

Roll Call:

Councilmember Bott – aye

Councilmember Farr – aye

Councilmember Thompson – aye

The motion carried 3-0.

Consideration of Resolution Updating Dog License Fees, Allowing Purchase of 3-Year License, and Changing the Deadline

Mr. Oyler stated that for many years, the deadline for dog licenses has been March 2nd and the City has always participated in the rabies clinic ran by a local veterinarian. The clinic is always held in February at Pioneer Park when the weather is cold. His staff suggested the due date be changed.

The resolution also changes the fee for an unaltered dog from \$17 to \$20 and offers the option of purchasing a 3-year license for \$25 for an altered dog and \$55 for unaltered dogs. This would align with the requirement of rabies shots every three years.

MOTION: Councilmember Bott moved to approve the resolution updating dog license fees, allowing purchase of 3-year license, and changing the deadline. The motion was seconded by Councilmember Farr.

Roll Call:

Councilmember Bott – aye

Councilmember Farr – aye

Councilmember Thompson – aye

The motion carried 3-0.

Consideration of Property Purchase Contract

Mr. Roberts indicated on a map the proposed property for purchase east of Highland. There is a lot of electrical infrastructure in this area. Some of the main feed powerlines go through this parcel. This is an access the City has wanted for many years.

The property now has new owners and they have offered the property to the City. The owners had it appraised and it came back at \$85,000. Mr. Roberts said he had it reviewed by an appraiser the City has used in the past and he said this was a reasonable amount. The owners are asking \$100,000 and will donate 33 acres behind this property to the City.

Mr. Roberts presented two contracts for Council approval – one for the purchase of the property and the other for the donation.

MOTION: Councilmember Bott a motion authorize the mayor to sign the purchase agreement and donation agreement. The motion was seconded by Councilmember Farr and unanimously carried.

Consideration for Approval of Sanctioning Agreement for the Tournament of Champions

Kyle Klein and Kristy Wolford came to the table. Ms. Wolford explained that the Tournament of Champions (TOC) was a stand-alone tournament and associated with USAPA. This sanctioning agreement would associate the TOC with the United Pickleball Management Cooperation (UPM). They had a six tournament series in the southwest. They are trying to add to this series and have shown interest in the TOC, which would be their 12th tournament. The TOC would be affiliated with them and would become part of their tour. The UPM would have no ownership rights.

Mr. Klein said the TOC would give a lot of validity to the UPM. They would advertise the TOC as the main event on their tour. He added that although Brigham City has a great tournament, there is not a great marketing vehicle. It is a free opportunity to share with the Midwest and Eastern United States about TOC.

Ms. Wolford said the UPM is asking Brigham City to pay a sanctioning fee of \$3,000 the first year, increasing \$500 each year. The agreement is for a 3-year term. This is similar to the USA Softball and the girls' softball tournaments.

Mr. Klein added that UPM has offered to give 5% of their end of year tournament profits to Brigham City. The regional tournament held in Brigham City last year had a profit of \$20,000. This was a medium scaled tournament. He estimated this tournament would profit \$30,000-\$40,000.

Councilmember Farr felt that a big benefit of this agreement is the marketing aspect of it.

MOTION: Councilmember Thompson made a motion to authorize the Mayor to enter the sanctioning agreement for the Tournament of Champions with UPM, seconded by Councilmember Bott and carried unanimously.

A motion to adjourn to a Redevelopment Agency was made by Councilmember Bott, seconded by Councilmember Farr and unanimously carried. The meeting adjourned at 8:11 p.m.

The Council returned to a City Council meeting at 8:13 p.m.

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 Farr. A roll call vote was taken with all councilmembers voting aye. The meeting adjourned to a closed session at 8:13 p.m.

The Council returned to an open meeting at 8:28 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 November 21, 2019 City Council Meeting.

Dated this 5th day of December 2019.

Mary Kate Christensen

Mary Kate Christensen, Recorder