

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
December 19, 2019**

PRESENT:	Tyler Vincent	Mayor
	DJ Bott	Councilmember (<i>arrived at 7:55 pm</i>)
	Alden Farr	Councilmember
	Ruth Jensen	Councilmember
	Tom Peterson	Councilmember
	Robin Troxell	Councilmember Elect
ALSO PRESENT:	Joseph Bach	Fire Chief
	Christina Boss	City Recorder
	Rick Bosworth	Human Resources Director
	Dave Burnett	Public Power Director
	Mike Christiansen	City Attorney
	Paul Larsen	Community Development Director
	Mike Nelsen	Police Chief
	Derek Oyler	Finance Director
	Tyler Pugsley	Public Works Director
	Jason Roberts	City Administrator
EXCUSED:	Mark Thompson	Councilmember

Mayor Vincent called the meeting to order. The Reverence Period was given by Bishop Greg Weight. The Pledge of Allegiance was recited.

Approval of Minutes: A motion to approve the minutes of the December 5, 2019 Council meeting was made by Councilmember Jensen, seconded by Councilmember Farr and unanimously approved as distributed.

AGENDA

RECOGNITION OF EMPLOYEES

New Hire in Police Department and Promotion in Library

CONSENT

Request for Approval of Claims Review Committee Schedule

Reappointment to the Planning Commission

PUBLIC COMMENT

COUNCILMEMBER COMMENTS

ACTION ITEMS

Consideration of Request for New Alignment of Dominion Energy 24" High Pressure Gas Line on 600 South

Consideration of Updates to the Employee Policies and Procedures Manual

Request for Approval of Qualtrics Survey Software Contract

DISCUSSION ITEMS

Power Sourcing Update

Presentation of 2019 Audit

ADJOURN TO REDEVELOPMENT AGENCY

Approval of November 21, 2019 RDA Meeting Minutes

Consideration of Resolution Authorizing Transfer of Property to Brigham City

RECOGNITION OF EMPLOYEES

Chief Nelsen and Officer Chase Peterson came to the podium. Chief Nelsen introduced Officer Peterson and presented his badge.

Elizabeth Schow was recently promoted to Library Director.

CONSENT

Request for Approval of Claims Review Committee Schedule

The Claims Review Committee Schedule was presented for approval.

Reappointment to the Planning Commission

It was recommended that Scott Mildenhall be reappointed to the Planning Commission.

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

PUBLIC COMMENT

Juliana Larsen – Ms. Larsen came to the podium and requested more information on the Box Elder News Journal article that reported on the Pickleball Courts upgrade budget. She referred to the fund balance and questioned why City taxes were increased.

DeAnna Hardy – Ms. Hardy came forward and stated that she opposes spending money on the Qualtrics Survey Software.

COUNCILMEMBER COMMENTS

Mayor Vincent thanked Councilmember Jensen and Thompson for their hard work and dedication to the City. He stated that they are appreciated and will be missed, and that Brigham City is a better place because of them.

ACTION ITEMS

Consideration of Request for New Alignment of Dominion Energy 24" High Pressure Gas Line on 600 South

Mr. Pugsley came to the table and explained that the priorities with the original alignment were utility conflicts and impact on residents. Dominion has indicated that they would not be able to complete 700 South while school was out due to the utility conflicts. The proposed new alignment would go from 600 East down 600 South to 200 East. There are 50 homes along that corridor but there are fewer utility conflicts which would enable the work to be completed sooner.

Mr. Alex Howard, Senior Project Specialist for Dominion Energy, explained the reasons for the new alignment proposal. In addition to Mountain View Elementary, there is also a Youth Track school as well as a preschool to consider. Access to the Golf Course would also be restricted with the current alignment.

Mr. Pugsley explained that some customers along 600 South have Orangeburg sewer pipe. He recommended that one of the conditions for consideration be that Dominion replace the existing Orangeburg lines from the main to the curb edge for those customers.

There is a large water transmission line on 600 East. Dominion has agreed to replace a section of the line where they will cross it. Mr. Pugsley suggested that Public Works complete improvements along the proposed route which will cost the City approximately \$25,000-\$54,000. He further suggested that Dominion participate in the improvements.

Public Works standards require Dominion to patch a full travel lane from the edge of the curb to the middle of the roadway. After the improvements are made, Public Works would install chip seal or a thin overlay and incorporate it into their street maintenance planning. Councilmember Peterson confirmed that the backfill is a flowable fill. Mr. Howard stated that the fill is low strength and diggable in case there was a future main break.

Councilmember Peterson asked about the secondary pressurized water system for future new expansion. Mr. Pugsley stated that with a total street reconstruct it would be included but this work would be just an asphalt patch. Council would have to approve the funds to put the secondary irrigation line in. Councilmember Peterson requested an estimate of the cost to install the line.

Mayor Vincent expressed his concerns about the impact on the citizens, and the length of time the road will be obstructed. He hopes to see the project move quickly. Mr. Howard stated that he will attempt to keep impacts minimal, make sure residents have access to their driveways and emphasize communication with traffic control.

Councilmember Peterson asked about the possibility of the contractor reaching out to homeowners in reference to the Orangeburg pipe. Replacement up to the cleanout would be at the homeowner's expense and would be a separate arrangement between the contractor and the homeowner.

Mayor Vincent invited impacted residents to comment.

Robin Troxell – Ms. Troxell asked about the width of 600 South and is concerned that 600 South is already patched. She asked if 500 South was considered as an alternative.

Ron Santos – Mr. Santos lives on 600 South. He was concerned that the whole street would be blocked and there would be no room for vehicles and garbage cans.

Jeri Santos – Ms. Santos is concerned that the width of the road will not allow for vehicles to use the road during construction. She is concerned that the progress would be very slow and does not want to be impacted for 3 ½ months. She was also concerned about emergency access and access to her driveway. She asked if 500 South was considered.

Kenneth Young – Mr. Young stated that there are apartments on the east end of 600 South with high traffic and a lot of vehicles with nowhere to park. He was concerned that delivery vehicles will not have access and he is on oxygen. He felt that 500 South is a better option.

Donrey Secrist – Mr. Secrist came forward and stated that he knows what is under the road. He asked where the pipe would run on 600 South. Mr. Howard stated it would be on the south side of the road based on the water line that runs on the north side. Mr. Secrist has Orangeburg pipe and stated that it is functional and not collapsing. He expressed that a better route should be found.

Mr. Pugsley and Mr. Howard returned to the table to address the resident's concerns. Mr. Howard explained that due to the installation of an above ground facility with an automatic shut off valve being installed just south of 700 South, the 500 South alignment would not work. Based on the width of 600 South and maintaining access to driveways, the work zone will be not as wide as it is on 600 East. One-way traffic would be maintained by flaggers and allow east/west traffic flow. Driveways would be plated. Dominion crews would work with garbage pick-up or would move cans to the opposite side of the street for pick up. They would also accommodate deliveries.

Councilmember Farr asked if failure of Orangeburg pipe at the customer's service connection is common when the ground is disrupted. Mr. Pugsley confirmed that it is not common outside of the roadway but did

reiterate that, with Orangeburg pipe, the customer is living on borrowed time. A failure will be experienced at some point.

Councilmember Jensen asked how Dominion would be held accountable. Mr. Howard responded that there is a dedicated person making sure concerns are addressed. The contractor also has a representative on site. They have warranties for settlement issues and for damages caused by their construction. Pre and post camera of all sewer laterals would be performed from the main to the residence so that the contractor is cautious. Any utilities within two feet on either side of the line are exposed to avoid hitting them. Mr. Pugsley confirmed that the referenced warranty period runs for one year upon completion of the project.

MOTION: A motion to approve the request for the new alignment of the high-pressure gas line as detailed was made by Councilmember Peterson.

Mr. Pugsley suggested the motion include the replacement of the sewer services when Orangeburg is present in the street and be contingent upon Dominion Energy participating in the full cost of the transmission improvements on 600 East.

Councilmember Peterson amended his motion to include the suggested language. The motion was seconded by Councilmember Farr and carried unanimously.

Consideration of Updates to the Employee Policies and Procedures Manual

Mr. Roberts approached the table and presented changes in Chapter 7-10 of the Employee Manual. He explained that the City is considering sponsoring some of the Fire Department employees to go to paramedic school because of the difficulty in finding paramedics. Chief Bach came to the table and explained that paramedic school is approximately 1,000 hours between didactic time, clinical time and field internship. Employees would be allowed to go to school while on shift. In return, the employee would make a commitment to stay with the City for at least two years.

Councilmember Bott asked about the costs of the courses and possible overtime for shift coverage. Mr. Roberts stated that there has been availability for other part time employees to take shifts. The policy states that the paramedic school opportunity would be budget dependent. Chief Bach estimated that between tuition and trying to backfill, the cost would be \$17,000 per employee.

Councilmember Jensen asked about prescribed medications and operating heavy equipment. Mr. Bosworth stated that is covered under the drug free workplace policy. The reason for the change is that the previous policy stated it was illegal to have controlled substances which does not cover prescribed medications.

There was a discussion on the language under 9-5 Paid Holidays. Mr. Roberts clarified that the holiday must be used no later than then end of the following pay period and the employee would get the day off at the discretion of the Director. The goal is to avoid disrupting operations. Councilmember Peterson feels that employees who work on a holiday should be given holiday pay and get a day off or get over-time pay. Mr. Oyler came to the podium and stated that when Police and Fire employees must work on a holiday, they have a comp time day off that must be used before June 30th or they are paid straight time for the day. Councilmember Peterson suggested that Section 9-5 be discussed at a later date.

MOTION: A motion to approve the updates to the Employee Policy and Procedures Manual as discussed was made by Councilmember Farr, seconded by Councilmember Jensen and carried unanimously.

Request for Approval of Qualtrics Survey Software Contract

Mr. Roberts addressed the Councilmembers stating that Qualtrics offered a discounted contract price of \$7,000 as opposed to the normal price of \$12,000 for the year if the contract was approved before December

31st. The City is looking for input from citizens through surveys and Mr. Roberts estimated between 4 and 9 surveys for the year. An additional \$10,000 would be needed for an intern to manage communications and the software. Funding is available in the budget due to open positions in the Fire Department. The Councilmembers discussed types of surveys and other services offered by Qualtrics as well as pushing information to the public. Mr. Roberts will come back before Council with a package that fits the City's needs. Mr. Roberts foresees the package including services that will provide for customer engagement and an intern posting survey information.

MOTION: A motion to table the Qualtrics Survey Software Contract was made by Councilmember Jensen, seconded by Councilmember Bott and carried unanimously.

DISCUSSION ITEMS

Power Sourcing Update

Mr. Burnett came to the table and stated that the main reason for looking at small modular reactor (SMR) technology is to decarbonize the electric sector. Pricing is based on a natural gas target of \$65-\$70 per MWh. The SMR project pricing target is \$55-\$60 per MWh. There is a \$6 million budget for the design certification application and an additional \$3 million spend was approved for the design certification application/licensing process.

SMR project updates include:

- Licensing – NuScale has reached Phase 4 out of 6
- Subscription – Participants met 150 MW subscription
- Siting – Guaranteed 1 of 6 or 7 sites; Project working closely with Shoshone-Bannock tribes
- Wet versus dry cooling – Leaning toward dry cooling because it is more cost effective
- MPR is the owner/engineer on the site; they are currently validating Sergeant Lundy's data
- Partnering with Tennessee Valley Authority (TVA) who recently had a site approved for SMR

Presentation of 2019 Audit

Mr. Oyler came forward and reviewed the 2019 Audit.

- Days Cash and Liabilities to Net Assets
 - 2019 City Wide days cash increased by 3 days
 - Governmental days cash went down due to the irrigation upgrade at the Golf Course funded by the fund balance
 - Business-Type days cash went up due to several capital projects not completed by fiscal year end
 - Changes in liabilities to net position in the Governmental funds were due to the changes in the Utah Retirement Systems; Business-Type liabilities decreased due to paying down debt
- General Fund Highlights
 - Revenues higher than budget included Sales tax, Class C Road Funds, Building Permits and Fines & Forfeitures
 - Expenditures Lower than budget including the Swimming Pool and Police Department
- The General Fund Revenues and Transfers In closely mirrored the last fiscal year with the largest source of revenue coming from sales tax
- General Fund Expenditures showed Public Safety with 43% of the budget, 51% of which is the Police Department
- The net cost of Public Safety increased by 8.6% or \$410,000
- Unassigned and Assigned Fund Balance
 - Fund Balance in the General Fund decreased by \$436,000
 - Fund Balance in the Golf Fund ended in a negative fund balance due to decreases in revenues of approximately \$48,000 from the prior year
 - Fund Balance in the Library fund decreased by approximately \$100,000

- RDA #1 Fund Balance increased due to the sale of the Brady Home but continues to be negative due to the loan on the Academy Building
- Remaining RDAs and EDAs have a negative fund balance due to loans in the Northwest EDA and RDA #1; as the loans are paid off, the negative fund balance will be eliminated; the west Forest EDA is negative due to a property purchase years ago
- The 2009 SAA balance increased by approximately \$111,429 due to outstanding property liens; however, the receivable is \$1.2 million with under \$1 million left on the bonds
- Net Profit after Transfers
 - Electrical power purchases increased by \$545,000; additional funds spent on electrical and waste treatment projects compared to the prior year
 - Overall increase in net profits is due to budgeted capital projects not fully completed, and allowing for future upgrade at the Waste Treatment Plant
 - Cash flows are close to break even
 - More money is being spent on capital projects to replace aging infrastructure which is a great measurement of financial health
- Economic Development General Fund was over budget due to project consultants; budget may need to be increased

Mr. Oyler stated that Brigham City is in very good financial condition. He added that the City should continue to increase cash reserves in preparation for possible future economic downturns.

The City was awarded the Government Finance Officer Association's financial reporting certificate for the 33rd consecutive year. Mr. Oyler thanked his Staff for their hard work and dedication in preparation of the audit.

Mr. Marcus Arbuckle with the Keddington and Christensen came to the table and reported on the review of the audit.

- Internal controls – controls are adequate with no weaknesses
- Federal programs – found to be in compliance
- State compliance review – several approved meeting minutes were not uploaded to the Utah Public Notice website within three business days
- Deficit fund balance – none of the funds made an appropriation great than 5% of the current year revenues; found to be in compliance

The meeting adjourned to a Redevelopment Agency meeting at 9:21 p.m. The Council returned to the regular City Council meeting at 9:24 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 December 19, 2019 City Council Meeting.

Dated this 6th day of January, 2020.

Christina Boss

Christina Boss, Recorder