

**REGULAR SESSION OF THE
BRIGHAM CITY COUNCIL
April 2, 2020**

PRESENT:	Tyler Vincent	Mayor
	DJ Bott	Councilmember <i>via Zoom</i>
	Alden Farr	Councilmember <i>via Zoom</i>
	Joe Olson	Councilmember <i>via Zoom</i>
	Tom Peterson	Councilmember <i>via Zoom</i>
	Robin Troxell	Councilmember <i>via Zoom</i>
ALSO PRESENT:	Michael Barlow	Recreation Supervisor <i>via Zoom</i>
	Christina Boss	City Recorder
	Dave Burnett	Public Power Director <i>via Zoom</i>
	Mike Christiansen	City Attorney
	Paul Larsen	Community & Economic Dev. Director <i>via Zoom</i>
	Mike Nelsen	Police Chief <i>via Zoom</i>
	Derek Oyler	Finance Director <i>via Zoom</i>
	Tyler Pugsley	Public Works Director <i>via Zoom</i>
	Jason Roberts	City Administrator
	Royce Wilkerson	IT Director

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

Approval of Minutes: A motion to approve the minutes of the March 19, 2020 Work Session and the March 19, 2020 Council meeting was made by Councilmember Bott, seconded by Councilmember Troxell and unanimously approved as distributed.

AGENDA

CONSENT

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

COUNCILMEMBER COMMENTS

ACTION ITEMS

Consideration of Resolution Amending Recreation Fees

Request to Donate L-3 Camera Systems to Uinta County, Wyoming Sheriff's Office

DISCUSSION ITEMS

Discussion on Utility Billing Fees

UNFINISHED BUSINESS

Consideration of Ordinance Amending Title 29 Zoning, Chapter 29.14 Industrial Districts, Allowing

Exceptions for Cannabis Production Establishments in the M-D Zone

**ADJOURN TO CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE OR LEASE
OF REAL PROPERTY**

CONSENT

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

A list of accounts totaling \$2,253.32 was presented to be removed from the City's system due to customers taking out bankruptcy or being sent to collections.

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

COUNCILMEMBER COMMENTS

Councilmember Bott – was thankful for the opportunity to attend the Council meeting electronically.

Councilmember Olson – stated that he has been approached by concerned citizens asking if the City will shut down, independent of the State's directive. Mayor Vincent stated that the City will not shut down at this time. The City will continue to keep the community updated through contact with the Councilmembers, the City website and mailers in the utility billings.

Councilmember Troxell – praised the Senior Center for their continued efforts with the Meals on Wheels program and stated that they need more volunteers.

Mayor Vincent – stated that staff is working hard through this difficult time. He mentioned the closure of City Hall and stated that staff is making sure the community's needs are being met. The Emergency Manager is keeping the community up to date with COVID-19 information. Mayor Vincent asked citizens to comply with the Governor's Stay Safe, Stay Home directive and follow the state and local Health Department's advice and direction. He expressed his gratitude to the Councilmembers for their willingness to provide guidance and insight to the citizens.

ACTION ITEMS

Consideration of Resolution Amending Recreation Fees

Mr. Barlow addressed the Councilmembers stating that the costs to run recreation programs have risen over the past years and the proposed small adjustments would allow the Recreation Department to meet budget goals.

MOTION: A motion was made by Councilmember Peterson to approve the amended fee schedule and was seconded by Councilmember Olson. Councilmember Peterson expressed his hopes that the City will upgrade the equipment. He referred to last year's baseball league and stated that most of the participants brought their own equipment due to the condition of City equipment. Councilmember Olson stated that he sought out donations last year for the same reason. Mr. Barlow stated that staff is currently working on equipment concerns, and he acknowledged the donation opportunities.

Roll Call:

Councilmember Bott – aye

Councilmember Olson – aye

Councilmember Farr – aye

Councilmember Peterson – aye

Councilmember Troxell – aye

Request to Donate L-3 Camera Systems to Uinta County, Wyoming Sheriff's Office

Chief Nelsen stated that the Uinta County Sheriff's office reached out when they discovered Brigham City was no longer using the camera system. Uinta County has approximately one-half of their vehicles equipped with the L-3 cameras, and due to budget cuts, they do not have the funds to purchase more. Brigham City Police Department uses a new system that correlates with the body worn camera. The L-3 cameras, monitors, microphone belt clips and unit recorders are at the City shops. Jason Ketsdever and Mike Haslam from the Fleet Department support the donation.

MOTION: A motion was made by Councilmember Peterson to donate the L-3 camera systems to the Uinta County, Wyoming Sheriff's Office and was seconded by Councilmember Bott. Councilmember Troxell asked about the fee mentioned in the Uinta County letter. Chief Nelsen stated that he did not think the fee was necessary because the camera system was no longer used by the Police Department. He explained that because all the wires were cut, it would take considerable effort to make them usable. Chief Nelsen

stated that, in the past, fees have not been charged for donations. The motion carried unanimously.

DISCUSSION ITEMS

Discussion on Utility Billing Fees

Mr. Oyler referred to the March 19, 2020 City Council meeting stating that there was some confusion with the discussion on the resolution authorizing the Mayor to suspend utility shut offs during a pandemic. He asked for clarity on waiving fees for customers with a good payment history.

Mr. Oyler explained that staff found little consistency between Utah cities on how they are handling late fees. Rocky Mountain Power and Dominion Energy are not suspending fees during this time. Mr. Oyler clarified that the current City resolution concerning shut off fees allows the waiver of fees only when the City has made a billing error. He asked for feedback from the Councilmembers.

Councilmember Peterson stated that his concern was for residents who lost their job and were facing late fees. However, with the stimulus checks coming fairly quickly and the availability of small business loans and other resources, Councilmember Peterson felt waiving fees was not necessary. Mr. Oyler reminded the Councilmembers that the City offers a deferral plan for folks who request it. Councilmember Peterson asked Mr. Oyler for a percentage of people who reach out to resolve their billing issues. Mr. Oyler offered to keep the Councilmembers updated on those numbers. Councilmember Farr asked that staff let people know to sign up for a deferral at the next utility shut off so they don't default on the deferral payment if they are still unemployed.

UNFINISHED BUSINESS

Consideration of Ordinance Amending Title 29 Zoning, Chapter 29.14 Industrial Districts, Allowing Exceptions for Cannabis Production Establishments in the M-D Zone

Bill Stevens, Chief Operating Officer and partner of True North of Utah, David Thibault with EHM Engineers and Lincoln Shurtz, counsel for True North of Utah introduced themselves for the record.

Mr. Larsen gave a brief history of the item and stated that the application for processing could not be considered under current code. True North's current application was written narrowly so it would only apply to the True North property and allow them to be considered for processing as a permitted use. Mr. Larsen understood that the Council's concerns at the last meeting had to do with spot zoning and access to other properties in the area.

Councilmember Olson stated that his concerns were with the development of the roadways and access to neighboring properties. Councilmember Peterson further explained that the concern was with the depth of the lots and asked if True North would be willing to look at 1400 West and 1550 West through streets for future development. Mr. Thibault explained that in the development plan set, there was a provision for a future roadway toward the west end of the property in the event a north/south connection is needed. Mr. Stevens confirmed that there is a fully executed Development Agreement for 1550 West. Mr. Thibault explained that the nature of the facility does not lend itself to the dedication of a road traversing through the property in the east/west direction. The plan includes provisions for utility easements as necessary for the function of the True North buildings and the cultivation in the green houses. Mr. Thibault and Mr. Stevens confirmed that the development of 1400 West through the True North property is not an option due to possible expansion of the facility.

Mr. Stevens explained that the value in collocating cultivation and processing is a reduction in transportation connection points and security.

MOTION: A motion was made by Councilmember Farr to approve the ordinance amending Title 29 Zoning, Chapter 29.14 Industrial Districts, allowing exceptions for cannabis production establishments in the M-D zone. The motion was seconded by Councilmember Olson.

Roll Call:

Councilmember Bott – aye
Councilmember Peterson – aye
Councilmember Olson – aye
Councilmember Troxell – aye
Councilmember Farr – aye

The meeting adjourned to a Redevelopment Agency meeting at 7:22 p.m. The Council returned to an open meeting at 8:02 p.m.

ADJOURN TO CLOSED SESSION

A motion to adjourn to a closed session to discuss the purchase, exchange or lease of real property was made by Councilmember Farr and seconded by Councilmember Olson. A roll call vote was taken with all Councilmembers voting aye. The meeting adjourned to a closed session at 8:05 p.m. The Council returned to an open meeting at 9:06 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 April 2, 2020 City Council Meeting.

Dated this 1st day of May, 2020.

Christina Boss

Christina Boss, Recorder